

Decision No. 35799**ORIGINAL**

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
 GEORGETOWN DIVIDE WATER COMPANY, LTD.,
 a corporation, to increase rates for
 water service.

Application No. 22511

GEORGETOWN DIVIDE WATER USERS,
 A Civic Organization,

JOHN E. ARTHUR, L. A. McNABB, GASTON COUDERC,
 RAY LAFAILLE, AMY L. DRYSDALE, G. D. THELKE,
 ARTHUR KOLETZKE, FRED PETRICK, FRANK HOLT,
 MIDDLE FORK GOLD MINE CO., W. T. RUSSELL,
 MARGARET A. KELLEY, NELLIE M. SCHEIN,
 O. P. DEMUTH, LEAH B. SCHLEIN, ED. J. FLEURY,
 GEO. C. WYLLIE, GUY W. DAVENPORT, W. J. DAVEY,
 ALICE F. PUGH, EDW. B. ROWAN, KATHLEEN FLYNN,
 GEO. P. MORGAN, LEO P. SLATTERY, OTTO K. VON
 MONT ETON, J. H. VAN ARTSDALEN, JOE FRANCIS,
 SARTOR J. FRANCIS, HERBERT McCULLAUGH,
 MRS. MINNIE CASE, J. HARRY CRANS,
 JUSTUS F. RYMAN, RUDOLPH NIEGEL, S. LOVEJOY,
 L. NIEGEL, RAYMOND NIEGEL, CARL NIEGEL,
 O. W. NIEGEL, R. W. NANCE, L. J. ESPER,
 WILL LEHMAN, A. SPERINDE & SONS, J. M. STEEVER,
 W. F. I. BELL, MARGARET MURDOCK, MYRTLE CAPURRO,
 PETER J. MORGAN, IDA ACKLEY, MRS. C. MCCOLLOUGH,
 LEMPI KIVIAHO, FRANK H. IRISH, IRENE M. IRISH,
 RUSSELL J. WILSON, CHAS. HOPPER BROWN,
 J. B. WAGNER, GEO. H. EBERHARD,

Case No. 4392

COMPLAINANTS,

-vs-

GEORGETOWN DIVIDE WATER COMPANY, LTD.,
 A Corporation,

DEPENDANT.

In the Matter of the Investigation on
 the Commission's own motion into the rates,
 rules and regulations, etc. of
 GEORGETOWN DIVIDE WATER COMPANY, LTD.

Case No. 4413

T. L. Chamberlain,
for Georgetown Divide Water Company, Ltd.

George G. Devore,
for Georgetown Divide Water Company, Ltd.

Joseph W. Gross,
for Georgetown Divide Water Users,
A Civic Organization.

Henry S. Lyons, District Attorney,
El Dorado County.

I. H. Pfaffenberger,
for California Farm Bureau Federation.

John Spencer, Chief, Bureau of Hydraulics,
Division of Fish and Game.

Walter M. Dickie, M.D.,
California State Department of Public Health.

Dr. David Weeks, College of Agriculture,
University of California.

BAKER, COMMISSIONER:

O P I N I O N

Georgetown Divide Water Company, Ltd., in Application No. 22511, prays that the California Railroad Commission issue an order authorizing an increase in its rates and charges for all of the various classes of water service supplied by it to the public. This company is engaged in the business of supplying water primarily for agricultural irrigation purposes but renders service also for domestic use in the unincorporated community of Georgetown and for industrial and mining purposes throughout a widely scattered area known as the Georgetown Divide in the County of El Dorado.

Applicant claims that the estimated historical cost of its property is approximately \$323,000 and that for a number of years last past its increased operating expenses have become greater than the revenues receivable under the existing schedule of rates, with no allowances for payments of interest on present debts. It is alleged that this obtains without proper provision for a

depreciation annuity and no reasonable return on the fair value of its property used and useful in the public service.

The water supply of this utility is obtained in a large part from storage in Loon Lake Reservoir from which waters are discharged into natural channels and canals and picked up at various points throughout the system. Loon Lake Reservoir is situated not far from the Placer and El Dorado County lines and is on the headwaters of Gerle Creek. Auxiliary diversions are made at various points from streams and tributaries of the Rubicon River, Pilot Creek, Little South Fork of the Rubicon River and various other small streams. Ditches run through Georgetown, Kelsey, Garden Valley, Greenwood, Cool, Pilot Hill, Spanish Dry Diggings and Volcanoville. The principal use of water is for agricultural irrigation purposes in the raising of fruits and alfalfa. There is also some water used in the raising of clovers for stock-raising purposes. Mining and industrial water has been furnished from time to time in addition to domestic service of water furnished to the residents of Georgetown.

Case No. 4392, Georgetown Divide Water Users, Complainants, vs. Georgetown Divide Water Company, Ltd., was filed in behalf of a large number of consumers covering practically every class of service demand throughout the system. In general, this complaint sets forth that for several years last past water for domestic, industrial, mining and irrigation purposes has been subject to frequent interruptions, some thereof lasting from several days to several weeks. It is alleged that there is a general lack of diligence in making the necessary repairs and providing proper water service. It is further alleged that the domestic service to Georgetown is inadequate and that there is unsatisfactory provision for adequate fire protection. In conclusion, it is charged that the present rate schedule is now excessive and unreasonable for the service rendered.

By way of answer to this complaint, the water company has entered a general denial to all the material allegations therein contained.

Case No. 4413, is an investigation instituted by the Commission upon its own motion into the general operations of this water company. The investigation was instituted in order to completely cover all phases of the operations of the utility and to broaden the scope of the issues to provide for an adequate inquiry and solution of the problems involved.

The three above indicated matters were consolidated for the purposes of hearing and decision. All interested parties agreed that such evidence and testimony as taken in connection with any of these matters could be considered in the final decision of each thereof in so far as germane.

Several hearings were held in Georgetown and in Placerville in connection with the above matters. Exhaustive engineering and technical investigations were made and presented in evidence as the record thereof. However, it now appears that the conditions generally complained of by the consumers have been satisfactorily rectified by the water company. The schedule of rates for agricultural irrigation, mining and industrial uses, together with certain new rules and regulations, have been agreed upon by adjustments among the representatives of the water users and the utility and participation by certain members of the Commission's staff and are now duly on file and in full force and effect.

The critical agricultural situation has so vastly improved that many of the major problems which obtained at the time of the filing of these proceedings are now no longer an issue. It is a general concensus of opinion of all the interested parties, including representatives of the consumers and their organization, the attorneys representing the California Farm Bureau Federation, the water company and the Commission's staff, that nothing can now be gained by the further continuation of these proceedings. It being acceptable to all parties concerned that each and every one of these three matters be dismissed, the following form of Order therefore is recommended:

ORDER

The above entitled matters having been filed with or instituted by this Commission, public hearings having been held thereon and the Commission being now fully advised in the premises, now therefore, because of the reasons, facts and findings set forth in the Opinion preceding this Order,

IT IS HEREBY ORDERED that the above entitled proceedings be and they are hereby dismissed.

The foregoing Opinion and Order are hereby approved and ordered filed as the Opinion and Order of the Railroad Commission of the State of California.

Dated at San Francisco, California, this 9th day of March, 1943.

Frank D. Havens
H. H. Baker
Julius F. Coe
Richard H. Hach
Francis D. ...
Commissioners.