

ORIGINAL

Decision No. 37393

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

 In the matter of the Joint Application of)
 E. S. GRANUCCI AND GUIDO GRANUCCI, doing)
 business as copartners under the firm)
 name and style of TOMALES BAY LAND COMPANY,)
 to sell and transfer said Water Company)
 to H. S. PORTER AND JAMES J. DOWNEY,)
 doing business as copartners, under the)
 name and style of INVERNESS PARK WATER)
 COMPANY.)

Application No. 26242.

 INVERNESS PARK IMPROVEMENT CLUB, LOUIS H.)
 LONGLEY, ET AL vs TOMALES BAY LAND CO.,)
 E. GRANUCCI.)

Case No. 4725.

Mr. H. S. Porter, for Inverness Park Water Company.

Mr. Louis H. Longley, for Consumers.

ROWELL, COMMISSIONER:

O P I N I O N

In this application E. S. Granucci and Guido Granucci, doing business as Tomales Bay Land Company, ask the Commission for authority to sell and transfer their water properties serving a subdivided area known as Inverness Park, located one mile west of Pt. Reyes Station, Marin County, to H. S. Porter and James L. Downey, who propose to operate the system as a partnership under the name and style of Inverness Park Water Company.

The complaint was filed by Louis H. Longley and thirty-one other consumers of the Tomales Bay Land Company prior to the filing of the transfer application. The complainants alleged that the water service rendered by the Granuccis was wholly inadequate.

A public hearing was held in these two matters at Inverness, and they are herein combined for decision. At the outset it was pointed out that the title of the transfer application inadvertently made reference also to the rates charged at

Dillon Beach, and it was asked that the title be amended to omit the last four lines thereof, which mentions the Dillon Beach operation.

There are about forty-five or fifty water consumers in the Inverness Park Tract at the present time. Many consumers are permanent residents in the Tract and others occupy their resort homes during the summer season and over weekend holidays. The subdivision totals several hundred acres of wooded lands, and there appears to be a spring water supply adequate to serve many more residences if such springs were fully developed. The distribution system was installed about 1910. Water is conveyed from the developed springs through some three thousand feet of pipe to a twenty-thousand gallon storage tank, and is distributed through approximately five thousand feet of one-inch to two-inch pipe. The original cost of this property is reported as \$5,780. However, the distribution system has become deteriorated to a point where much of it requires immediate replacement.

The complaining consumers now urge that the Commission authorize applicants Porter and Downey to acquire the water property here involved. These applicants are both experienced in the operation of water properties. They have already advanced considerable sums of money for the making of repairs and additions most urgently needed. They are making a survey of all the existing pipe lines in order that they will be able to determine the extent of the additional facilities which must be installed. Although the accrued depreciation to date cannot be accurately estimated, it would appear that the value of the water bearing lands and distribution facilities being acquired is in excess of the purchase price of only \$1,500, which the parties have agreed upon. The parcels of land acquired are all those parcels necessary for the development of the springs, together with water gathering facilities and rights of way.

It is evident that the public interest will be served by the granting of the application to transfer these water properties. The complainants are willing to have their complaint against the Granuccis dismissed.

The following form of Order is recommended:

ORDER

Application and complaint having been filed as entitled above, a public hearing having been held thereon, and the evidence combined for the purpose of decision, the matters having been submitted and the Commission being now fully advised in the premises,

IT IS HEREBY ORDERED that E. S. Granucci and Guido Granucci, doing business as Tomales Bay Water Company, be and they are hereby authorized to transfer on or before December 31, 1944, to H. S. Porter and James J. Downey, copartners, and doing business as Inverness Park Water Company, that certain public utility water system used in supplying domestic water service to consumers in a subdivided area known as Inverness Park, Marin County, said property being more particularly described in the Deed and Bill of Sale attached to the application and made a part of this Order by reference.

IT IS HEREBY FURTHER ORDERED that the above entitled complaint be and it is hereby dismissed.

IT IS HEREBY FURTHER ORDERED as follows:

1. Upon completing the transfer herein authorized, a written statement shall be filed on or before December 31, 1944, by said H. S. Porter and James J. Downey, indicating the date on which control and possession of said water system were assumed and also certified copy of the final instrument of conveyance;
2. H. S. Porter and James J. Downey are hereby directed to file, within thirty (30) days from the date of this Order, four copies of rates for water service furnished by this system in the Inverness Park Tract, Marin County, which rates shall not be higher, in any particular, than the applicable rates now on file;
3. H. S. Porter and James J. Downey are hereby directed to file, on or before December 31, 1944, four sets of rules and regulations applicable to water service in the Inverness Park Tract, Marin County, each set of which shall contain a map or sketch, drawn to an indicated scale, upon a sheet approximately 8½ x 11 inches in size, delineating thereupon in distinctive markings the boundaries of the present service area and the location thereof with reference to the surrounding territory; it being understood, however, that the filing of such sketch shall not be considered as a conclusive determination of the area dedicated;
4. H. S. Porter and James J. Downey are hereby directed to file, on or before December 31, 1944, four copies of a comprehensive map, drawn to an indicated scale of not less than 600 feet to the inch, delineating the area served in the Inverness Park Tract,

Marin County, and its location with reference to source of supply and surrounding territory. Such map shall show the source and date thereof, and include data sufficient to determine clearly the location of the various properties comprising the service area.

The action taken herein shall not be construed to be a finding of value for any purpose other than the proceeding herein involved.

This Order shall become effective upon the date hereof.

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 10th day of October,

1944.

Richard L. Karcher
Walter J. Cullen
Francis L. Hoenes
Thomas G. Cooney
Charles L. Luce

COMMISSIONERS.