

Decision No. 37584

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of H. L. MC NEW)
 AND EFFIE W. MC NEW, his wife, and CALIFORNIA)
 WATER SERVICE COMPANY, a corporation, for)
 (1) an order authorizing the transfer from)
 H. L. MC NEW AND EFFIE W. MC NEW, his wife,)
 to California Water Service Company of the)
 water system now serving Wayside Park Tract 1066)
 adjacent to the City of Bakersfield, Kern County,)
 and (2) a certificate that public convenience)
 and necessity require the extension of the plant)
 and system of California Water Service Company)
 now serving water to the City of Bakersfield and)
 contiguous territory to Wayside Park Tract 1066.)

ORIGINAL

Application No. 26368

BY THE COMMISSION:

OPINION

In this proceeding H. L. McNew and Effie W. McNew, his wife, doing business as Wayside Water Works, and engaged in furnishing water to residents in Wayside Park Tract 1066 in the vicinity of Bakersfield, Kern County, California, ask the Commission for authority to transfer the distribution system to California Water Service Company, a corporation, which joins in the application and asks also for a certificate of public convenience and necessity to enlarge its service area to include such residential tract.

At present applicants H. L. McNew and Effie W. McNew purchase all water served to their consumers from California Water Service Company at the rates at present in effect on its Bakersfield system. The water is distributed through 6,550 lineal feet of mains varying from 1½ to 4 inches in diameter. At present, there are 141 active consumers being served on a flat rate basis. No certificate has been issued to these applicants.

The rate at present in effect on the Wayside Water Works is as follows:

Flat Rate of \$1.50 per month per customer.

The gross revenue received by the Wayside system for service rendered for the twelve-month period July 1, 1943, to June 30, 1944, inclusive, was \$2,324. The total sum paid for water during this period was \$1,394. The estimated original cost of the distribution system being transferred is reported as \$1,859 and its present value as \$1,660. The agreed purchase price is \$1,500.

California Water Service Company is engaged in the business of operating a public utility water system in and in the vicinity of the City of Bakersfield and its service area adjoins Wayside Park Tract 1066. The company is willing and proposes to serve the Tract if the Commission authorizes the transfer herein applied for, and grants a certificate of public convenience and necessity to extend its system and serve the area. The company proposes to charge the consumers on the Tract for the service rendered at the rates and subject to the rules and regulations governing service furnished by its Bakersfield system. These rates provide for flat and measured charges that start with a minimum of \$1.00 per month and contain provisions for additional charges for added water use facilities under the flat rates, and for quantities of water over the minimum allowance of 540 cubic feet. Applicants have obtained a signed form of consent from 130 of the 141 consumers to the transfer proposed herein and the application of the rates and rules and regulations of the California Water Service Company to service to be furnished on the Tract. The remaining eleven consumers could not be contacted to sign such consent. The application of these rates will result in increases to some of the consumers on the Tract and decreases to others, depending on the size of the premises and the use of water.

No other utility serves in this area and California Water Service Company has blanket authority from the Board of Supervisors of Kern County to install and maintain its mains in and under the streets, highways, and roads of the County. Under the circumstances it appears to be in the public interest to authorize the transfer and to grant the certificate of public convenience and necessity applied for herein.

O R D E R

Application having been filed as entitled above, the Commission having considered applicants' request and it appearing that this is not a matter in which a public hearing is necessary and that the application should be granted, now, therefore,

THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA HEREBY DECLARES that public convenience and necessity require the construction, maintenance, and operation of a public utility water system by California Water Service Company, a corporation, in Tract 1066, known as Wayside Park, in the County of Kern, California, and as delineated upon the map of the said tract attached to the application herein and marked Exhibit "C,"

IT IS HEREBY ORDERED that a certificate of public convenience and necessity be and it is hereby granted to California Water Service Company, a corporation, to construct, maintain, and operate a public utility water system in said territory.

IT IS HEREBY FURTHER ORDERED that H. L. McNew and Effie W. McNew, his wife, doing business as Wayside Water Works, be and they are hereby authorized to convey to California Water Service Company, a corporation, that certain public utility water system used in supplying domestic water service to consumers in Wayside Park Tract 1066, Kern County, California, said property being more particularly described in the Deed and Bill of Sale attached to the application as Exhibit "B."

IT IS HEREBY FURTHER ORDERED that California Water Service Company, a corporation, be and it is hereby authorized to serve said Tract 1066 with water at the rates and subject to the rules and regulations now in force in the City of Bakersfield, Kern County, California, or that may hereafter be made effective therein.

IT IS HEREBY FURTHER ORDERED AS FOLLOWS:

1. That such transfer shall be made on or before March 31, 1945, and that H. L. McNew and Effie W. McNew, his wife, shall file a certified copy of the final instrument of conveyance on or before said date.
2. That H. L. McNew and Effie W. McNew, his wife, shall file a written statement with this Commission on or before March 31, 1945, indicating the date on which control and possession of said water system were relinquished.

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.

Dated at San Francisco California, this 3^d day of January

1945.

Richard Kachse

Justin J. Coenen

Francis E. Coen

Wm. H. Powell

COMMISSIONERS.