

Decision No. 38899

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

ORIGINAL

In the Matter of the Application of CALIFORNIA WATER & TELEPHONE COMPANY, a corporation, and MARTIN-GOULD-WATER CORPORATION, a corporation, for an order authorizing the amendment of the Certificate of Public Convenience and Necessity granted to Applicants, releasing certain area in the Certificate of the latter and incorporating such area in the Certificate of the former.

Application No. 27321

OPINION AND ORDER

California Water & Telephone Company, ⁽¹⁾ a corporation, and Martin-Gould Water Corporation, ⁽²⁾ a corporation, operating public utility domestic water systems in adjoining and adjacent territories, in the Rosemead area, situate near Temple City, Los Angeles County, join in a request for authority to amend the certificates of public convenience and necessity granted said companies to operate in said Rosemead District, to permit California Company to serve and have included within its certificated area an adjoining subdivision called Mission View Acres Tract, ⁽³⁾ which is now located within Martin Company service area. The Mission Tract consists of approximately 200 acres and is now being supplied with water for domestic and irrigation purposes by the Mission View Acres Water Company, ⁽⁴⁾ a mutual water corporation. At present about 100 customers are served.

California Company has arranged to purchase the system of said Mission Company and has agreed to supply water to said tract as a public utility. The Mission Tract lies within the certificated service area of Martin Water Company, as established by the Commission in its Decision No. 29973, dated July 27, 1937.

- Notes: (1) Hereafter referred to as California Company.
 (2) Hereafter referred to as Martin Company.
 (3) Hereafter referred to as Mission Tract.
 (4) Hereafter referred to as Mission Company.

The California Company was granted a certificate to serve in the territory adjoining the Mission Tract, in Decision No. 31514, dated December 5, 1938.

California Company is successor in interest to the franchise rights granted to Ford L. Howland by Los Angeles County, in Ordinance No. 1449 N.S., duly passed and adopted on the 14th day of February, 1927, to operate and maintain a system of pipelines upon, over, and across all highways of said Mission Tract. Martin Company has no facilities installed in said tract and is not now serving nor does it contemplate serving any customers therein.

An investigation having been made, 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,

IT IS HEREBY ORDERED AS FOLLOWS:

- (1) That the certificate of public convenience and necessity granted by the Commission in its Decision No. 29973, dated July 27, 1937, to Martin-Gould Corporation, be and it is hereby modified and amended by eliminating therefrom the said Mission Acres Tract, and that the said modified and amended certificate shall cover the following described territory in Los Angeles County, California:

Beginning at the intersection of Rosemead Avenue and the northerly line of the Southern Pacific Railroad right-of-way; thence north along Rosemead Avenue to Live Oak Avenue; thence easterly from the intersection of Rosemead Avenue and Live Oak Avenue in a straight line through Sunnyview Tract to the intersection of Live Oak Avenue and Encinita Avenue; thence southerly along the center line of Encinita Avenue to the intersection of Olive Street; thence easterly along the center line of Olive Street to the intersection of Allesandro Avenue; thence southerly along the center line of Allesandro Avenue to the intersection of Blackley Street; thence easterly along the projection of Blackley Street, being also the southerly line of Mission View Acres Tract, to the southeast corner of Lot 55 of Mission View Acres Tract; thence southerly along the easterly line of Tract No. 5342 to the northeast corner of Lot 6 of said Tract No. 5342; thence westerly along the northerly line of said Lot 6 to the northwest corner of said Lot 6; thence southerly along the westerly line of said Lot 6 to the center line of Lower Azusa County Road; thence westerly along the center line of Lower Azusa County Road to the northerly line of the Southern Pacific right-of-way; thence in a westerly direction along the northerly line of said Southern Pacific right-of-way to the point of beginning.

- (2) That the certificate of public convenience and necessity granted by the Commission in its Decision No. 31514, dated December 5, 1938, to California Water & Telephone Company, be and it is hereby modified and amended by incorporating therein the said Mission Acres Tract, and that the said modified and amended certificate shall cover the following described territory in Los Angeles County, California:

Starting at the SW corner of Lot 51 of E. J. Baldwins Addition No. 1 to Santa Anita Colony; thence northerly along the westerly line of said Lot 51 and its prolongation to the southerly line of Lot 46 of said E. J. Baldwins Addition No. 1; thence easterly along the southerly line of said Lot 46 of the SE corner of said Lot 46; thence northerly along the easterly line of said Lot 46, 450 feet, to a point which is 350 feet south of the southerly line of Green Street; thence easterly 486 feet; thence at right angles northerly 750 feet to the southerly line of Lot 41 of said E. J. Baldwins Addition No. 1; thence westerly along the southerly line of said Lot 41 and its prolongation to the center line of Glickman Avenue; thence northerly on Glickman Avenue to the center line of Olive Street; thence easterly on Olive Street to the center line of El Monte Avenue; thence northerly on El Monte Avenue to the center line of Live Oak Avenue; thence westerly along the center line of Live Oak Avenue to the intersection of Encinita Avenue; thence southerly along the center line of Encinita Avenue to the intersection of Olive Street; thence easterly along the center line of Olive Street to the intersection of Allesandro Avenue; thence southerly along the center line of Allesandro Avenue to the intersection of Blackley Street; thence easterly along the projection of Blackley Street, being also the southerly line of Mission View Acres Tract, to the southeast corner of Lot 55 of Mission View Acres Tract; thence southerly along the easterly line of Tract No. 5342 to the northeast corner of Lot 6 of said Tract No. 5342; thence westerly along the northerly line of said Lot 6 to the northwest corner of said Lot 6; thence southerly along the westerly line of said Lot 6 to the center line of Lower Azusa County Road; thence westerly along Lower Azusa County Road to the southerly line of Southern Pacific right-of-way; thence southeasterly along the southerly line of said Southern Pacific right-of-way to the center of Ellis Lane; thence northeasterly on Ellis Lane to Lower Azusa County Road; thence easterly on Lower Azusa County Road to the westerly line of said Lot 51, the point of beginning.

- (3) That California Water & Telephone Company and Martin-Gould Water Corporation shall within thirty (30) days from the date of this Order file with this Commission four maps, or sketches drawn to an indicated scale upon a sheet 8 $\frac{1}{2}$ x 11 inches in size, delineating thereupon in distinctive markings the boundaries of their respective service areas as modified and amended herein.
- (4) That upon compliance with the above Order of the Commission, said Martin-Gould Water Corporation shall stand relieved of its public utility obligations and liabilities to supply water in said Mission

View Acres Tract.

This Order shall become effective upon the date hereof.

Dated at San Francisco, California, this 2nd day of May,

1946.

David Anderson
Justice J. Quisenberry
Thomas G. ...
W. H. Howell

Commissioners.