

ORIGINAL

Decision No. 39428

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of WASHINGTON WATER AND LIGHT COMPANY for a certificate of public convenience and necessity to furnish and supply water in certain unincorporated territory in the County of Yolo, State of California.

Application No. 27650

Carl E. Rodegerts, Attorney, for Applicants.
Clyde Henry, for West Sacramento Water Company.

O P I N I O N

In this proceeding, Washington Water and Light Company, a corporation, asks the Commission to grant it a certificate of public convenience and necessity to operate a public utility water system in and adjacent to the unincorporated town of Broderick, Yolo County, California, and to establish the boundaries of the territory to be served.

A public hearing in this matter was held in Sacramento before Examiner Mackall.

On April 16, 1946, the Board of Supervisors of Yolo County, by Ordinance No. 203, granted applicant a 25-year franchise to operate a water system and install mains in public roads, streets, etc., in the area for which the establishment of territory boundaries is requested. This franchise renews a 50-year franchise heretofore granted the company which expired on July 8, 1946.

This water system has been in operation long prior to the enactment of the Public Utilities Act; however, applicant now desires to be granted a certificate to cover the area heretofore served in the past, together with certain adjoining territory pursuant to the franchise just obtained. The area for which a certificate is requested is set forth on a map filed as Exhibit No. 1. At the

hearing, applicant asked for authority to exercise the rights and privileges granted it by said Ordinance No. 203.

Water is obtained from three drilled wells, equipped with electrically-driven deep-well pumps with a total capacity of 3,000 gallons per minute. Storage is provided by a 75,000-gallon steel elevated tank and distributed through 37,948 feet of mains that vary from 2-inch to 8-inch in diameter. This waterworks has a capital investment reported as of December 31, 1945, to be \$39,876 and is now serving 341 consumers.

Clyde Henry who owns and operates the West Sacramento Water Company, serving in adjacent and, in one instance, adjoining territory; protested upon the ground that applicant herein had included certain of his certificated territory. By stipulation this encroachment was eliminated and applicant agreed to withdraw its request in the disputed over-lapping area. The mutually agreed boundaries of the respective utilities were delineated upon the map filed in this proceeding as Exhibit No. 1 and will, accordingly, be accepted and approved by this Commission. No other utility serves in the area and no other protests were made. Under the circumstances, the certificate therefor will be granted in the following Order.

The certificate of public convenience and necessity granted herein is subject to the following provision of law:

"That the Commission shall have no power to authorize the capitalization of this certificate of public convenience and necessity in excess of the amount (exclusive of any tax or annual charge) actually paid to the State as the consideration for the issuance of such certificate of public convenience and necessity or right."

O R D E R

Application as entitled above having been filed with the Railroad Commission, a public hearing having been held thereon, the matter having been duly submitted and the Commission now being fully advised in the premises,

THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA HEREBY DECLARES that public convenience and necessity requires and will require the operation of a public utility water system by the Washington Water and Light Company, a corporation, in and in the vicinity of the unincorporated town of Broderick, Yolo County, in an area described in Exhibit "A" attached to the application herein, limited, however, in a certain minor respect as more particularly delineated upon the map filed as Exhibit No. 1 in this proceeding, both of which said descriptions are hereby made a part of this Order by reference.

IT IS HEREBY ORDERED AS FOLLOWS:

1. That a certificate of public convenience and necessity is hereby granted to Washington Water and Light Company, a corporation, to operate a public utility for the distribution and sale of water within the territory hereinabove described and to exercise the rights and privileges granted by Ordinance No. 203 of the Board of Supervisors of Yolo County.
2. That Washington Water and Light Company, a corporation, be and it is hereby authorized to serve with water the territory hereinabove described at the rates and subject to the rules and regulations as approved by the Railroad Commission in its Decision No. 8461, dated December 20, 1920.
3. That Washington Water and Light Company, a corporation, be and it is hereby directed to file, on or before December 31, 1946, four copies of a comprehensive map drawn to an indicated scale of not less than 600 feet to the inch, delineating by appropriate markings the area served. Such map shall be reasonably accurate, show the source and date thereof, and include sufficient data to determine clearly the location of the various properties comprising the area served. The filing of service area maps shall not be construed as the determination or establishment of the dedicated area of service.

The authority herein granted will become effective upon the date hereof.

Dated at San Francisco, California, this 24th day of

September, 1946.

Harold J. Hull
Justice F. Cassano
James P. Powell
R. E. Duggan
 Commissioners.