

Decision No. 39582

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

ORIGINAL

In the Matter of the Application of

DAROLD W. MACDANNALD

for a Certificate of Public Convenience
and Necessity and Order Fixing Rates.

Application 27761

Brown, Brown & Bacon, by Ralph M. Brown,
for Applicant.

O P I N I O N

Darold W. MacDannald supplies water for domestic and commercial purposes under the fictitious name of Keyes Water Company in the unincorporated town of Keyes, Stanislaus County, and in this proceeding asks the Commission to grant him a certificate of public convenience and necessity and for approval of flat and metered rates for the service rendered. The flat rate schedule provides for a monthly charge of \$2.30 for a 3/4-inch service connection and \$3.10 per month for a one-inch service connection. The measured rates provide for a monthly minimum charge of \$1.50 and an allowance of 2,000 cubic feet of water. Excess use is reduced through two blocks to 4¢ per 100 cubic feet for quantities over 50,000 cubic feet.

A public hearing in this proceeding was held before Examiner Stava at Modesto.

The town of Keyes is located seven miles southeast of the City of Modesto, on U. S. Highway No. 99, and has been subdivided into 19 blocks with an area of 71 acres. Mr. MacDannald is now completing the construction of a water system serving Blocks 6, 7, 8, 9, 11, 16, 17, and 18, of the townsite. Each block has an area of approximately 2.75 acres and is subdivided into thirty-two 25 x 140-foot

lots. Water is obtained from an 8-inch drilled well, 78 feet in depth, located in Block No. 16. An additional standby well and pump is located in Block No. 17. Water is delivered through a 2,200-gallon steel pressure tank through 9,840 feet of pipe varying in diameter from 3 to 6 inches. The estimated cost of the completed water system is \$11,793. There are 34 customers now being served at the flat rates requested herein and 94 additional applications for service not as yet connected to the system.

The schedule of rates proposed is similar to the flat and metered rates now in effect on other systems in the Modesto area.

Permission and franchise for the installation and operation of this waterworks was granted Mr. MacDannald by resolution of the Board of Supervisors of Stanislaus County on the 12th day of August, 1946.

No other public utility water system serves this area and no one appeared to protest the granting of the certificate or the establishment of the rates requested. Under the circumstances, the authority sought will be granted.

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 consideration of the issuance of such certificate of public convenience and necessity or right."

ORDER

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

THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA HEREBY DECLARES that public convenience and necessity requires and will require Darold W. MacDannald to construct, maintain and operate a public utility water system in Blocks 1 to 19, exclusively, in the unincorporated town of Keyes, Stanislaus County, said area being

more particularly delineated upon the map filed as Exhibit No. 2 in this proceeding, said map being made a part of this Order by reference.

IT IS HEREBY ORDERED AS FOLLOWS:

1. That a certificate of public convenience and necessity be and it is hereby granted to Darold W. MacDannald to construct and operate a public utility water system for the distribution and sale of water within the territory hereinabove described.
2. That Darold W. MacDannald be and he is hereby authorized and directed to file in quadruplicate in conformity with this Commission's General Order No. 96, within thirty (30) days from the date of this Order, the following schedules of rates to be charged for all service rendered to his consumers on and after the first day of December, 1946, which schedules of rates are hereby found to be just and reasonable for the service to be rendered:

Schedule No. 1

MONTHLY FLAT RATES

Applicability:

Applicable to all domestic, commercial and industrial use of water.

Territory:

In and adjacent to the unincorporated town of Keyes, Stanislaus County.

Rates:

Per Month

For water used in one dwelling, apartment, store or industry or other single unit establishment within the premises on which same is located, the charges shall be as follows:

For 3/4-inch service connection	\$2.30
For 1-inch service connection	3.10

Additional dwelling houses, etc., taking service through the same connection:

For first additional unit80
For second additional unit60
For third additional unit and each unit in excess of three50

Schedule No. 2

MONTHLY MEASURED RATES

Applicability:

Applicable to all domestic, commercial and industrial users of water.

Territory:

In and adjacent to the unincorporated town of Keyes, Stanislaus County.

Rates:

Per Meter
Per Month

Minimum Monthly Charges:

For 5/8 x 3/4-inch meter	\$1.50
For 3/4-inch meter	1.75
For 1-inch meter	2.50
For 1 1/2-inch meter	3.50
For 2-inch meter	5.00
For 3-inch meter	10.00
For 4-inch meter	15.00
For 6-inch meter	20.00

Each of the foregoing "Minimum Monthly Charges" will entitle the consumer to the quantity of water which that minimum monthly charge will purchase at the following "Monthly Quantity Rates":

Monthly Quantity Rates:

First 5,000 cubic feet, per 100 cubic feet	\$0.075
Next 45,000 cubic feet, per 100 cubic feet06
Over 50,000 cubic feet, per 100 cubic feet04

3. That Darold W. MacDannald, within sixty (60) days from the date of this Order, shall submit to this Commission for its approval four sets of rules and regulations governing relations with its consumers, each set of which shall contain a suitable map or sketch, drawn to an indicated scale upon a sheet 8 1/2 x 11 inches in size, delineating thereupon in distinctive markings the boundaries of its present service area, the location thereof with reference to the immediate surrounding territory; provided, however, that such map or sketch shall not thereby be considered by this Commission or any other public body as a final or conclusive determination or establishment of the dedicated area of service, or any portion thereof.

4. That Darold W. MacDannald, within sixty (60) days from the date of this Order, shall file with this Commission four copies of a comprehensive map, drawn to an indicated scale of not less than 600 feet to the inch, upon which shall be delineated by appropriate markings the territory presently served. This map should be reasonably accurate, show the source and date thereof, and include sufficient data to determine clearly and definitely the location of the property comprising the entire utility area of service; provided, however, that such map shall not thereby be considered by this Commission or any other public body as a final or conclusive determination or establishment of the dedicated area of service, or any portion thereof.

IT IS HEREBY FURTHER ORDERED that for all other purposes, the effective date of this Order shall be twenty (20) days from and after the date hereof.

Dated at San Francisco, California, this 29th day of October, 1946.

Harold H. Kula
Justice F. A. Brewer
James D. Dean
Frank J. Powell
A. J. [unclear]
 Commissioners.