

Decision No. 39684

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

ORIGINAL

In the Matter of Application of
EAST SAN BERNARDINO WATER COMPANY

1. For a Certificate of Public Convenience and Necessity to construct, maintain and operate a domestic water system; and
2. To establish domestic water rates.

Application No. 27727.

L. J. Cauchlin, for Applicant.

O P I N I O N

This is an application by a copartnership composed of William H. Zadie, Charles P. Fuller, and Judd K. Payne, doing business under the fictitious firm name and style of East San Bernardino Water Company, for a certificate of public convenience and necessity to operate a waterworks in an area of approximately 170 acres, adjoining the San Bernardino Air Depot in East San Bernardino, in the County of San Bernardino. The Commission also is asked to establish a schedule of rates.

A public hearing in this proceeding was held before Examiner MacKall in San Bernardino.

Applicants own 70 acres of the proposed service area and have subdivided the southerly 50 acres of their holdings into 180 lots. This subdivision is designated Tract No. 3008, County of San Bernardino, being a portion of Lots 3, 4, 5, 6, and 7, Block 50 P.S.B. It is the intention of applicants to subdivide the remainder of their lands as soon as all lots in the initial unit have been sold. Service also will be provided for adjoining properties and plans for the subdividing and development of certain portions thereof are already in progress of filing.

The water supply will be obtained from a flowing artesian well, formerly used for agricultural irrigation purposes. This well, located on Lot 40 of Tract 3008, was drilled about forty years ago and under recent test yielded 1,000

gallons per minute with a draw-down of 68 feet. The well has been drilled to a depth of at least 970 feet and the initial casing is 12 inches in diameter. The well will be equipped with a Layne and Bowler deep-well turbine pump, driven by a 30 horsepower motor discharging at 750 gallons per minute into a steel pressure tank of 10,900 gallons capacity, operating at 20 to 50 pounds per square inch pressure. The distribution system consists of 750 feet of S.S. black pipe, 6,400 feet of 4 inch double-dipped and felt wrapped 14 gauge welded steel pipe, and 600 feet of 2 inch steel pipe, part of which is standard screw galvanized pipe. There are five fire hydrants on the system equipped with 2½ inch wharf-type gate valves. Upon completion of the water plant, including both subdivision units, with 240 service connections and meters, the estimated expenditures will amount to \$18,500. Unit No. 1 serving Tract No. 3008 is now practically entirely piped at a cost of approximately \$9,000. The entire pipeline design and layout is good and the water supply ample. The initial minimum pressure of the automatic pressure tank control, however, is too low at the present setting, which should be advanced to 35 pounds.

Easements and rights-of-way for all water mains and similar facilities have been reserved to the water company in and along all streets and roads and across private lots where necessary throughout Tract No. 3008 and likewise will be so reserved in the future subdivisions.

The three copartners, operating as East San Bernardino Water Company, are all long-established businessmen in San Bernardino and have ample finances and resources to construct, operate and maintain the waterworks necessary to supply the territory involved herein.

The schedule of rates proposed includes both flat and metered service. The entire system will be metered as soon as meters are obtainable. In the meantime service will be provided at flat rate charges of \$2.00 per month for each residence on a lot not to exceed 10,000 square feet in area. The meter rate is \$1.50 per month for the first 1,000 cubic feet or less, reducing to 10 Cents per 100 cubic feet for all use over 5,000 cubic feet per month. The proposed schedule of rates

as amended appears to be fair and reasonable and will be established in the following Order.

No one appeared to protest against the petition of Applicants and as no other public utility waterworks is operating in or near the proposed service area of this Water Company, the certificate of public convenience and necessity 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 or the right to own, operate or enjoy such 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 construction and operation of a public utility water system by William H. Eadie, Charles P. Fuller and Judd K. Payne, copartners, in Tract No. 3008, San Bernardino County, being a portion of Lots 3, 4, 5, 6 and 7, Block 50 R. S. 2., and in the adjoining territory bounded on the west by Eastwood Farms Tract 2439, on the north by lands of the State of California, and by Sixth, or Rathbun Street, on the east by Sterling Avenue, and on the southeast and south by East Third Street, in a district generally known as East San Bernardino, and as more particularly set forth and delineated upon maps, marked Exhibit No. 1 and Exhibit No. 2, filed in this proceeding and hereby 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 William H. Eadie, Charles P. Fuller, and Judd K. Payne, copartners, to construct and operate a public utility for the distribution and sale of water within the territory hereinabove described.

2. That William H. Eadie, Charles P. Fuller, and Judd K. Payne, copartners, be and they are 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 schedule of rates to be charged for all water service rendered to their consumers on and after the date of this Order, which schedule of rates is hereby found to be just and reasonable for the service to be rendered:

Schedule No. 1

FLAT RATES

Applicability:

Applicable to all unmeasured water service.

Territory:

Tract No. 3008, San Bernardino County, and in the adjoining territory bounded on the west by Eastwood Farms Tract 2439, on the north by lands of the State of California, and by Sixth or Rathbun Street, on the east by Sterling Avenue, and on the southeast and south by East Third Street, in a district generally known as East San Bernardino.

Rates:

	<u>Per Month</u>
For each 3/4-inch service rendered on a lot not in excess of 10,000 square feet.....	\$2.00
For each additional dwelling unit on the same premises..	1.00
Sprinkling or irrigation of lawns, gardens, shrubbery and trees, for areas in excess of 10,000 square feet per 100 square feet.....	.02

Schedule No. 2

METER RATES

Applicability:

Applicable for all water service rendered on a metered basis.

Territory:

Tract No. 3008, San Bernardino County, and in the adjoining territory bounded on the west by Eastwood Farms Tract 2439, on the north by lands of the State of California, and by Sixth or Rathbun Street, on the east by Sterling Avenue, and on the southeast and south by East Third Street, in a district generally known as East San Bernardino.

Rates:

	<u>Per Meter</u> <u>Per Month</u>
<u>Minimum Monthly Charges:</u>	
For 5/8 x 3/4-inch meter.....	\$1.50
For 3/4-inch meter.....	2.00
For 1-inch meter.....	3.00
For 1 1/2-inch meter.....	7.50
For 2-inch meter.....	12.00

Schedule No. 2 (Cont'd)

METER RATES

Rates (Cont'd):

The 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:

	<u>Per Meter Per Month</u>
First 1,000 cubic feet, or less.....	\$1.50
Next 4,000 cubic feet, per 100 cubic feet.....	.13
Over 5,000 cubic feet, per 100 cubic feet.....	.10

3. That William H. Eadie, Charles P. Fuller, and Judd K. Payne, copartners, 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 their consumers, each set of which shall contain a suitable map or sketch, drawn to an indicated scale upon a sheet 8½ x 11 inches in size, delineating thereupon in distinctive markings the boundaries of their present service area, and 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 William H. Eadie, Charles P. Fuller, and Judd K. Payne, copartners, 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 3rd day of December

1946.

Harold P. Kula
Justice F. Cassese
Frank E. ...
Frank ...
A. E. ...
 COMMISSIONERS.