

Decision No. 40017

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

ORIGINAL

In the Matter of the Application  
of

A. L. VINCENT and  
JEAN L. VINCENT

Application No: 28085.

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

Brown, Brown & Bacon by Ralph Brown,  
For Applicants.

O P I N I O N

A. L. Vincent and Jean L. Vincent, doing business as Vincent Water Company, ask the Commission for a certificate of public convenience and necessity to supply water for domestic and commercial purposes in a subdivision known as Fair Tract, an unincorporated area located approximately one-quarter of a mile north of the city limits of the Town of Ceres, Stanislaus County. The Commission is also asked to approve flat and meter 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 meter 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 5,000 cubic feet.

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

Fair Tract contains 20 acres and will be subdivided into 90 lots. At present the land is being cleared of grape vines and leveled for street work. Applicants are part owners of and operate the public utility waterworks supplying

the Town of Ceres. The Fair Tract system will be operated as a separate business.

Applicants have entered into an agreement with Homer and Margaret Fair, owners of Fair Tract, providing for the installation of the water system. The water supply will be obtained from a 14-inch drilled well approximately 160 feet deep. The well will be equipped with an electrically-driven deep-well turbine pump, delivering water into a 3,000-gallon, automatically-controlled pressure tank. The distribution system will consist of approximately 4,000 feet of six and four-inch 12 gauge steel pipe. The cost of the completed system for initial operation, exclusive of land and service connections, is estimated by applicants to be \$8,000.

The record shows that the streets and roads in the subdivision have not as yet been accepted by the County authorities but undoubtedly will be so accepted in the future. The Board of Supervisors of Stanislaus County has advised applicants that no franchise is required at the present time for the installation, repair and maintenance of the water mains in this tract.

At the hearing applicants asked to amend the application, requesting the Commission to establish a minimum monthly charge of \$1.75 for a 5/8 x 3/4 inch meter instead of the \$1.50 charge set forth in the application. However, the \$1.50 monthly minimum charge generally is in effect on other water systems throughout this area and no evidence was produced justifying the increased rate at this time. In other respects the schedule of rates proposed in the application is practically the same as the flat and metered rates now in effect on other systems in the general vicinity.

No other public utility water system serves this area and no one protested against the granting of the certificate or the establishment of the rates as originally proposed in the application.

The certificate of public convenience and necessity granted herein is subject to the following provisions 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 Public Utilities Commission of the State of California; a public hearing having been held thereon, the matter having been duly submitted and the Commission now being fully advised in the premises,

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA HEREBY DECLARES that public convenience and necessity require, and will require, the construction, maintenance, and operation of a public utility water system by A. L. Vincent and Jean L. Vincent; in the subdivision known as Fair Tract, located approximately one quarter of a mile north of the City of Ceres on North Central Avenue in Stanislaus County, said tract comprising some 20 acres, more or less, and more particularly delineated on the map filed as Exhibit 1 in this proceeding which map is 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 A. L. Vincent and Jean L. Vincent to construct, maintain, and operate a public utility for the distribution and sale of water within the territory hereinabove described.
- 2: That A. L. Vincent and Jean L. Vincent 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 schedules of rates to be charged for all water service rendered to their consumers on and after the first day of April, 1947; 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 the subdivided area known as the Fair Tract, located approximately one-quarter of a mile north of the city limits of Ceres, on North Central Avenue, Stanislaus County.

Rates:

Per Month

For water used in one dwelling, apartment, store or industry or other single unit establishment 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 unit.....	.80
For second additional unit.....	.60
For third additional unit and each unit in excess of three...	.50

Schedule No. 2

MONTHLY MEASURED RATES

Applicability:

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

Territory:

In the subdivided area known as the Fair Tract located approximately one-quarter of a mile north of the city limits of the Town of Ceres on North Central Avenue, 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":

Schedule No. 2 Cont'd  
MONTHLY MEASURED RATES

Rates:(Cont'd)

Monthly Quantity Rates:

First 5,000 cubic feet, per 100 cubic feet.....	\$0.075
Next 45,000 cubic feet, per 100 cubic feet.....	.06
Over 50,000 cubic feet, per 100 cubic feet.....	.04

3. That A. L. Vincent and Jean L. Vincent, doing business as Vincent Water Company, within sixty (60) days from the date of this Order, shall submit to this Commission for 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 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 A. L. Vincent and Jean L. Vincent, doing business as Vincent Water Company, 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.

The effective date of this Order shall be twenty (20) days from and after the date hereof.

Dated at San Francisco California, this 4<sup>th</sup> day of March

1947.

Harold Huls  
Justice F. Crocker  
James H. Farrell  
A. J. [unclear]  
Stanley [unclear]  
 Commissioners.