

Decision No. 40674

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

ORIGINAL

In the Matter of the Application of Marie G. Puccetti for the issuance of a Certificate of Public Convenience and Necessity for the operation of a water system.

Application No. 22496

Marie G. Puccetti, in propria persona.

O P I N I O N

Marie G. Puccetti asks the Commission for a certificate of public convenience and necessity to construct and operate a public utility water system in Tract No. 404, called Hollywood Tract, located on Calderon Road, approximately one mile north of the City of Mountain View in Santa Clara County. The Commission is also asked to establish meter rates for the water delivered.

Applicant alleges that no other water system operates in the territory or in the immediate vicinity and she must provide water service in the subdivision before the California State Division of Real Estate will permit the sale of lots in said tract.

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

At the hearing applicant asked that the application be amended to include an adjoining seven acres of land within the area to be certificated. Applicant also owns this parcel which she intends to subdivide after all lots are sold in Tract No. 404.

Applicant is the owner of a parcel of land lying along Calderon Road, being Lot 4 and Lot 9 of the A. Calderon Subdivision and containing 12½ acres. She has subdivided 5½ acres of said Lot 4, now being Tract No. 404, in County of Santa Clara, each lot therein being approximately 60 feet by 125 feet. Applicant intends

to subdivide the remaining 7 acres into 30 lots as soon as her first tract has been sold.

The distribution system has not as yet been installed. The present plans provide for the installation of 300 feet of 4-inch pipe from an existing irrigation well, distributing through two 2-inch mains, 680 feet long, to be installed along each side of Gabriel Avenue, the only thoroughfare traversing the subdivision. Water from the well will be pumped into a ground storage tank of not less than 5,000 gallons, and thence distributed by means of two booster pumps and a pressure tank. The well presently is used for agricultural irrigation purposes, the pump rating being 200 gallons of water per minute. Applicant estimates the installation cost of the proposed facilities to be \$3,000. Mr. John Reader, one of the Commission's engineers testified that the installed cost of all water facilities to serve the proposed subdivision would amount to \$5,280.

Applicant submitted a report of a bacteriological examination of the water which indicated that the well water conforms to the drinking water standards of the Public Health Service. Applicant also has permission from the Board of Supervisors of Santa Clara County to install, repair, and operate a water system, in, under and along the streets in, and in front of, her properties.

No other utility serves in the territory covered by Tract No. 404 and the acreage property owned by applicant and situate immediately adjoining and adjacent thereto. No protest was made to the proposed operation of this water system. Under the circumstances it appears that public convenience and necessity require the granting of the requested certificate.

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."

ORDER

Application as entitled above and as amended 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 requires, and will require, the construction and operation of a public utility water system by Marie G. Puccetti in the subdivided Tract No. 404, County of Santa Clara, and adjoining unsubdivided 7 acres of land, being Lot 4 and Lot 9 of the A. Calderon Subdivision in the County of Santa Clara.

IT IS HEREBY ORDERED as follows:

1. That certificate of public convenience and necessity be and it is hereby granted to Marie G. Puccetti, to construct and operate a public utility for the distribution and sale of water in the territory hereinabove described.
2. That Marie Puccetti be and she is hereby authorized and directed to file in quadruplicate with this Commission, within thirty (30) days from the date of this Order, in conformity with the Commission's General Order No. 96, the following schedule of rates to be charged for water service rendered to her customers, which schedule of rates is hereby found to be just and reasonable for the service to be rendered.

Schedule No.1

MONTHLY METER RATES

Applicability:

Applicable to all water service rendered on a measured basis.

Territory:

In and in the vicinity of Tract No. 404, called Hollywood Tract, located on Calderon Road, one mile north of the City of Mountain View, Santa Clara County.

Rates:

<u>Quantity Charge:</u>	<u>Per Meter Per Month</u>
First 600 cubic feet, or less.....	\$1.75
Next 2,400 cubic feet, per 100 cubic feet.....	.25
Next 7,000 cubic feet, per 100 cubic feet.....	.20
Over 10,000 cubic feet, per 100 cubic feet.....	.15
<u>Minimum Monthly Charge:</u>	
For 5/8 x 3/4-inch meter.....	\$1.75
For 3/4-inch meter.....	3.00
For 1-inch meter.....	4.00
For 1 1/2-inch meter.....	5.00
For 2-inch meter.....	6.00

The Minimum Charge will entitle the customers to the quantity of water which that monthly minimum charge will purchase at the Quantity Rates.

3. That Marie G. Puccetti, 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 her 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 her 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 Marie G. Puccetti, 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 400 feet to the inch, upon which shall be delineated by appropriate markings the territory to be 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.

For all other purposes the effective date of this Order shall be twenty (20) days from and after the date hereof.

Dated at Los Angeles, California, this 10<sup>th</sup> day of September, 1947.

Harold P. Kula  
Justice J. Adams  
Justice H. Lowell  
R. T. [Signature]

COMMISSIONERS.