

ORIGINAL

Decision No. 41259

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of Charles E. Bakman, Frank S. Bakman, Walter W. Bakman, R. L. Bakman, Ida Bakman Gilstrap, and Mollie Bakman, a limited partner, for a Certificate of Public Convenience and Necessity to operate a public utility water system, and to establish rates for water service in an unincorporated area near Fresno, California, known as Bakman Homesites.

Application No. 28931.

Crossland and Crossland, by
Robert S. Crossland, for applicants.

POTTER, COMMISSIONER:

O P I N I O N

In this application Charles E. Bakman, Frank S. Bakman, Walter W. Bakman, R. L. Bakman, Ida Bakman Gilstrap, and Mollie Bakman, a limited partnership, doing business under the firm name and style of "Bakman Ranch", ask the Public Utilities Commission for a certificate of public convenience and necessity to operate a public utility water system under the fictitious name of Bakman Homesites Water Utility, for the purpose of furnishing water to residents of a real estate development known as Bakman Homesites. This tract, containing 20 acres, is located approximately two miles east of the easterly corporate boundary of the city of Fresno in Fresno County. The Commission is also asked to establish a monthly flat rate charge of \$3.00 for the service rendered.

A public hearing in this matter was held at Fresno.

Applicants are the owners of a parcel of land containing approximately 20 acres, being a portion of Lots 3 and 4, Block 4, Nevada Colony. The tract is bounded on the north by Olive Avenue, on the east by Helm Avenue, by Tyler

Avenue on the south, and by Willow Avenue on the west, as delineated on a map of "Bakman Homesites", filed with the application as Exhibit "A" and made a part of this Order by reference. The land has been subdivided into 2 blocks containing a total of 76 lots, each having an average frontage of 60 feet and an average depth of 113 feet. Mr. R. L. Bakman, representing the copartners at the hearing, testified that 61 lots have been sold and that one new home is now under construction.

The installation of the facilities of the water system are almost completed. At the present time the distribution mains consisting of approximately 1,500 feet of six-inch and 2,200 feet of four-inch, spiral steel, dipped and paper wrapped pipe, are installed and ready for service. A 2,000 gallon steel pressure tank is in place at the well site on Lot 23, Block 1, of the tract, and a 10-inch well, reported to be 152 feet in depth, has been drilled. A deep-well electrically driven centrifugal pump with a rated capacity of 250 G.P.M. has been ordered and will be installed as soon as delivered. The completed plans provide for an additional well 12 inches in diameter, a 350 G.P.M. electrically driven deep well pump and a 4,000 gallon steel pressure tank. The proposed well is to be located at the northeast corner of Willow and Tyler Avenues outside the subdivision but immediately adjacent thereto, on a parcel of land owned by applicants. The estimated cost of the completed system is \$16,787.

In this proceeding, applicants request the establishment of a monthly flat rate of three dollars (\$3.00), or that the Commission establish whatever charge is reasonable for the service rendered. Mr. R. L. Bakman testified that as there will be approximately 10 large peach trees left on each lot after the homes are constructed, he felt that the monthly charge should be increased to \$3.25 per month, as these old trees will require open hose irrigation for at least eight months each year. Mr. Bakman also testified that applicants do not desire the establishment of a metered schedule of rates. However, future conditions may make measured service necessary and to provide for this contingency it appears advisable and in the public interest, that meter rates be established at this time to avoid

the expense of a future hearing for this purpose.

Permission to lay and maintain pipe lines in and along certain county roads adjacent to the subdivision was granted applicants by the Board of Supervisors of Fresno County, in their permit No. 5105, dated November 13, 1948.

No other public utility water system serves this territory and no one appeared at the hearing to protest the granting of the certificate or the establishment of the requested rates. Under the circumstances the authority sought will be granted. The rates established in the following order are somewhat lower than requested, but should be amply sufficient to bring satisfactory return on operations. This schedule of rates compares favorably with the rates of similar utilities operating in the general vicinity under similar conditions.

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, Charles E. Bakman, Frank S. Bakman, Walter W. Bakman, R. L. Bakman, Ida Bakman Gilstrap and Mollie Bakman, copartners, doing business under the fictitious name of "Bakman Homesites Water Utility," to construct and operate a public utility water system in Bakman Homesites, a subdivided portion of Lots 3 and 4, Block 4, Nevada Colony, located approximately two miles east of the east boundaries of the

City of Fresno, Fresno County, said area being more particularly delineated upon a map of Bakman Homesites subdivision, attached to the application herein, which map is 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 Charles E. Bakman, Frank S. Bakman, Walter W. Bakman, R. L. Bakman, Ida Bakman Gilstrap and Mollie Bakman, copartners, doing business as Bakman Homesites Water Utility, to operate a public utility water system for the distribution and sale of water within the territory hereinbefore described.
2. That Charles E. Bakman, Frank S. Bakman, Walter W. Bakman, R. L. Bakman, Ida Bakman Gilstrap, and Mollie Bakman, copartners, doing business as Bakman Homesites Water Utility, be and are 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 schedules of rates to be charged for all water service rendered to their customers on and after the 1st day of April, 1948, which schedules of rates are hereby found to be just and reasonable for the service to be rendered.

Schedule No. 1

FLAT RATE SERVICE

Applicability:

Applicable to all domestic and commercial use of water.

Territory:

In the area known as Bakman Homesites, located approximately two miles east of the eastern boundaries of the City of Fresno, Fresno County, and bounded on the north by Olive Avenue, on the east by Helm Avenue, on the south by Tyler Avenue and on the west by Willow Avenue.

Rates:

Per Month

For each 3/4-inch service located on a single lot \$2.75
For each 1-inch service located on a single lot \$3.50

Schedule No. 2

MONTHLY METER SERVICE

Applicability:

Applicable to all domestic and commercial use of water.

Territory:

In the unincorporated area known as Bakman Homesites, located approximately two miles east of the eastern boundaries of the City of Fresno, Fresno County, and bounded on the north by Olive Avenue, on east by Helm Avenue, on the south by Tyler Avenue and on the west by Willow Avenue.

Rates:

Per Meter
Per Month

Monthly Minimum Charge:

| | |
|--------------------------------|--------|
| For 5/8 x 3/4-inch meter | \$2.00 |
| For 3/4-inch meter | 2.50 |
| For 1-inch meter | 3.00 |

Monthly Quantity Rates:

| | |
|--|------|
| First 800 cubic feet, or less | 2.00 |
| Next 3,200 cubic feet, per 100 cubic feet | .15 |
| Next 6,000 cubic feet, per 100 cubic feet | .12 |
| Over 10,000 cubic feet, per 100 cubic feet | .10 |

A meter may be installed at the option of either the utility or the customer. When service is changed from flat to meter rates, at the customer's written request, such service must be continued for not less than 12 months at the meter rate before it may again be changed to flat rates.

3. That Charles E. Bakman, Frank S. Bakman, Walter W. Bakman, R. L. Bakman, Ida Bakman Gilstrap and Mollie Bakman, copartners, doing business as Bakman Homesites Water Utility, 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 8 1/2 x 11 inches in size, delineating thereupon in distinctive markings the boundaries of his 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 and conclusive determination or establishment of the dedicated area of service, or any portion thereof.

- 4. That Charles E. Bakman, Frank S. Bakman, Walter W. Bakman, R. L. Bakman, Ida Bakman Gilstrap and Mollie Bakman, copartners, doing business as Bakman Homesites Water Utility, 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 foregoing Opinion and Order are hereby approved and filed as the Opinion and Order of the Public Utilities Commission of the State of California.

Dated at San Francisco, California, this 2nd day of March, 1948.

R. Z. [Signature]
Justice F. [Signature]
[Signature]
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 (Commissioners)