

Decision No. 41356

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of

CARL W. WELLER,

doing business as Coalings Welding & Drilling Co., for a certificate of public convenience and necessity to construct and operate a waterworks and domestic water service system.

Application No. 28955

ORIGINAL

James T. Barstow, for Applicant.

POTTER, COMMISSIONER:

O P I N I O N

Carl W. Weller, under the fictitious firm name and style of Coalings Welding and Drilling Co., asks the Commission for a certificate of public convenience and necessity to construct and operate a domestic water system in the Violette Tract, located adjacent to the townsite of Huron in Fresno County.

Mr. Weller, in his application, alleges that the Violette Tract has recently been subdivided and will be placed upon the market for sale upon installation of a water system therein. Applicant proposes to drill a well 2,000 to 2,500 feet in depth and install a complete water distribution system for the entire development. Applicant further alleges that Mr. Joseph Mouren,* who owns and operates a water works in the adjacent townsite of Huron, has refused to extend water service to the Violette Tract.

A public hearing on this matter was held in Fresno.

Note: - (*) Angele Mouren, mother of Joseph Mouren, has filed Application 29072 with this Commission asking for a certificate to serve water in the townsite of Huron and in a portion of the service area requested by applicant herein. A public hearing has been held in the Mouren proceeding, the matter has been submitted and decision therein is now pending.

Frank and Joseph Violette own a parcel of land containing 35 acres, more or less, immediately adjacent to the unincorporated town of Huron. They have subdivided this parcel into 260 lots, named it the Violette Tract and have entered into an agreement with applicant to construct and operate a water system to serve the project.

The evidence indicates that potable water, fit also for general household and domestic purposes, can be obtained in this area only at great depth and by good fortune. In general, local waters are too highly alkaline for domestic use. Applicant's estimate of the cost of the system installation to serve this subdivision, including two 16-inch cased wells, not less than 2,000 feet in depth, with tanks, 4-inch and 6-inch distribution mains and other necessary facilities, is slightly in excess of \$72,000.

The record discloses the fact that two other water systems operate in and in the immediate vicinity of Huron. One of these, owned and operated by Angele Mouren, has been in existence for the past 40 years and now serves water to 40 consumers. This system has two new 30,000-gallon steel storage tanks erected on 90-foot steel towers. One of these tanks is now being used by the Huron Development Company under agreement. This company owns and operates the other water system referred to, has a deep well producing potable water of good quality and has a surplus thereof, a part of which it sells to Angele Mouren. The evidence indicates that Huron Development Company may very probably in the immediate future form a subsidiary corporation to acquire and operate its waterworks and apply to this Commission for a certificate of public convenience and necessity to sell and distribute its water as a public utility. This company has the only well in the vicinity with proven potable water.

A review of the record in this proceeding clearly shows that the estimated cost of applicant's proposed water system, approximately \$72,000, is a very large amount to spend for the strictly limited number of potential water users who would avail themselves of the service if and when the Violette Tract becomes fully developed. The burden upon the consumers to support a compensatory rate unquestionably would be greater than the traffic could bear.

The evidence shows that water service can be made available to the Violette Tract from sources already available in the immediate vicinity at far less cost to all parties concerned. Sufficient evidence has not been submitted by Mr. Weller to support a finding of public convenience and necessity in this matter. The application therefore must be denied.

O R D E R

Application as entitled above having been filed with the Commission, a public hearing having been held thereon, the matter having been submitted and the Commission now being fully informed in the premises,

IT IS HEREBY ORDERED that this application be and it is hereby denied.

The foregoing Opinion and Order are hereby approved and ordered filed as the Opinion and Order of the Public Utilities Commission of the State of California.

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

Dated at San Francisco, California, this 23rd day of March, 1948.

R. J. Innes
Justus F. Coe
Walter R. ...
Harold P. Kula
Harriet Potter
 Commissioners.