

Decision No. 41619

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
 DEPUE AND DUITSMAN, a co-partnership,
 for a CERTIFICATE OF PUBLIC CONVENIENCE
 AND NECESSITY, near Barstow,
 San Bernardino County.

Application No. 28642

ORIGINAL

Earl H. Depue, for Applicant

O P I N I O N

Earl H. Depue and Edward A. Duitsman, a co-partnership, doing business as Depue and Duitsman, ask the Commission for a certificate of public convenience and necessity to operate a public utility water system in a partially subdivided parcel of land located four miles west of the town of Barstow in San Bernardino County. The Commission is also asked to establish a schedule of rates.

A public hearing in this matter was held before Examiner Stava in Barstow.

Applicants own a parcel of land containing 550 acres, more or less, located in Sections 5, 7, 8 and 17, Township 9, North, Range 2 west, S.B.B. & M. It is traversed by the Santa Fe Railroad and State Highway No. 66. Applicants have subdivided 60 acres into 20 lots, plan to subdivide progressively in units the remainder of their holdings, and have installed a water system to supply the presently subdivided tract.

Water is pumped from a 12-inch well, 99 feet deep, by a deep-well turbine operated by an automobile engine. The distribution system consists of 3,690 feet of 6-inch pipe. Storage is provided temporarily by a 2,000-gallon steel tank located on the highest elevation in the subdivision. Water service now is being supplied

to 16 residents at no charge. Applicants propose to operate the pump with an electrically-driven motor as soon as power is available. The water then will be delivered through a 3,200-gallon steel, automatically-controlled pressure tank. This tank already has been installed, but as yet is not connected to the distribution system. This water system has cost to date \$7,500 and will require an additional \$1,000 for completion. The water system to serve the adjoining 60-acre tract now planned for the next unit in the project will include a standby pump and well and the distribution mains. Applicants will reserve 100 acres of land riparian to the Mojave River as a source of water development for the future.

No franchise or permit to install mains is necessary. Easements have been reserved by the landowners in all public roads and thoroughfares for utility purposes.

The schedules of flat and meter rates established in the following Order are similar to the water rates in effect in Barstow. The schedules of rates proposed by Applicants have been modified slightly, however, to comply with the general practice of this Commission in setting up a rate structure.

No protests were entered and no other utility operates in or near the proposed service area of this system. Under the circumstances a certificate will be granted and a schedule of rates established.

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 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 operation of a public utility water system by Depue and Duitsman, a co-partnership, in a 550-acre territory located in Sections 5, 7, 8 and 17, Township 9 North, Range 2 west, S.B.E. & M., approximately four miles westerly of the town of Barstow, San Bernardino County, said territory being more particularly delineated upon the map filed as Exhibit No. 1 in this proceeding, which Exhibit No. 1 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 Depue and Duitsman, a co-partnership, to construct, operate and maintain a public utility water system for the distribution and sale of water within the territory hereinabove described.
2. That Depue and Duitsman, a co-partnership, within thirty (30) days from the effective date of this Order, shall file in quadruplicate, in conformity with this Commission's General Order No. 96, the following schedule of rates to be charged for all service rendered to their customers in the above described territory, on and after the effective date of this Order, which schedule of rates is hereby found to be just and reasonable for the service rendered:

Schedule No. 1

MONTHLY FLAT RATES

Applicability:

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

Territory:

Within the established 550-acre service area located in Sections 5, 7, 8 and 17, Township 9 North, Range 2 west, S.B.E. & M., San Bernardino County.

Schedule No. 1 (Continued)

MONTHLY FLAT RATES

<u>Rates:</u>	<u>Per Month</u>
For 3/4-inch service connection, per single family unit or single lot not in excess of 10,000 square feet and \$.02 per month for sprinkling or irrigation each additional 100 square feet.	\$2.00
For each additional dwelling	1.00
For 1-inch service connection, per single family unit.. or single lot not in excess of 10,000 square feet, and \$.02 per month for sprinkling or irrigation each additional 100 square feet.	2.75-
For each additional dwelling	1.00

Schedule No. 2

METER RATES

Applicability:

Applicable to all domestic and industrial meter water service.

Territory:

Within the established 550-acre service area located in Sections 5, 7, 8 and 17, Township 9 North, Range 2 west, S.B.B. & M., San Bernardino County.

Rates:

<u>Monthly Quantity Charges:</u>	<u>Per Meter Per Month</u>
First 900 cubic feet, or less	\$1.75
Next 4,100 cubic feet, per 100 cubic feet15
Over 5,000 cubic feet, per 100 cubic feet10
 <u>Monthly Minimum Charges:</u>	
For 5/8 x 3/4-inch meters	\$1.75
For 3/4-inch meter	2.00
For 1-inch meter	2.50
For 1 1/2-inch meter	5.00
For 2-inch meter	10.00

The Monthly Minimum Charge will entitle the customer to the quantity of water which that Monthly Minimum Charge will purchase at the Monthly Quantity Charges.

3. That Depue and Duitsman, a co-partnership, 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 Depue and Duitsman, a co-partnership, 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 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.

IT IS HEREBY FURTHER ORDERED that the effective date of this Order shall be twenty (20) days from and after the date hereof.

Dated at San Francisco, California, this 25th day of May, 1948.

J. E. Interspan
Justus J. Craven
Walter K. Kucell
Harold A. Kule
Samuel P. Potter
Commissioners.