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Decision No. 42359

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BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

ARROWHEAD MANOR COUNTRY CLUB, INC.,
a corporation, and
ARTHUR L. HARRIS, an individual,

Complainants

v.

ARROWHEAD MANOR WATER COMPANY,
a corporation,

Defendant

Case No. 5010

Gendel & Chichester by T. Bernard Shapiro
for complainants, and James Harvey Brown
for defendant.

O P I N I O N

Arrowhead Manor Country Club, Inc., a corporation, and Arthur L. Harris, an individual, filed a complaint against Arrowhead Manor Water Company, a corporation, alleging that complainants were water users of the public utility water system operated by said defendant, and that said complainants have not been receiving the water which defendant was under a duty to furnish them. It was further alleged that many water users of defendant had been ill as a result of drinking impure water furnished to them by said defendant.

Hearings were held before Examiner Rowe at Lake Arrowhead, on August 5 and 16, 1949, and oral and documentary evidence was adduced and the matter submitted.

Several witnesses testified that from early in January, 1949, until late in March of this year, many users received no water from defendant's water system. This failure to deliver water was caused by reason of the freezing of water pipes of defendant's water system. The winter during that period was unusually severe, and temperatures were much lower than in several previous years.

There was some evidence indicating lack of good judgment in coping with the forces of nature, and even some testimony tending to prove that those in control of the management of defendant were negligent and perhaps willful in failing to keep the water running in the pipes by bleeding at appropriate locations. However, it appears more probable that conditions could have been greatly improved except that the manager of the system lacked proper engineering skill and the knowledge of how the system had been designed to be operated. He conceded that some users had not received the treatment to which they were entitled.

Another serious condition indicated by the evidence was that the water was not fit for human consumption. Some consumers testified that they or their children had been made ill by reason of drinking the water. A superintendent who was in charge of the field operations of the company which designed and constructed the waterworks system testified that the springs from which the water is obtained were in a deplorable condition. He stated that they were unsanitary and the water therefrom not fit for human consumption.

According to this expert, the available supply of water could be greatly increased and its condition purified and made more

readily available by merely restoring the physical system to its original condition and by operating the system in the manner for which it was designed.

This could be done without the expenditure of a great deal of money. The principal things to be done consisted of properly cleaning out the springs and rendering them inaccessible to rodents and other forms of life. By removing dirt, rot, and soil, and by protecting the springs from future cave-ins, much could easily be accomplished. Valves should be rendered usable by cleaning them of dirt and debris and by restoring covers to the valve boxes. Some of the tanks apparently have been used unduly and others permitted to run dry. By operating all these tanks in the manner intended by those who designed and installed the system, perils from cold weather conditions could be better combated, and during other periods more water would be available and its condition as to purity could be materially improved.

Complainants' attorney stated that their only object in instituting this proceeding was in order that the consumers should be assured an adequate supply of water every day of the year in return for the payment of the charges assessed. Counsel for the defendant stated that it was that company's desire to do just that. In order to carry out this purpose, defendant has employed a consulting engineer familiar with this type of problem. Defendant admitted, through its attorney, that there were certain defects in the system, and it intended to correct these defects.

The Commission finds, as a fact, that the practices, equipment, appliances, facilities, and services of Arrowhead Manor Water Company, a public utility corporation, and the manner of

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distribution, storage, and supply employed by said corporation are unsafe, improper, and inadequate.

O R D E R

Complaint being on file, full investigation of the matters and things involved having been had, and the Commission being fully advised,

IT IS HEREBY ORDERED that defendant, Arrowhead Manor Water Company, a public utility corporation, restore its water-works system to a condition equal to that for which it was originally designed, and hereafter operate said system in the manner for which it was designed to be operated, or its equivalent, and that appropriate steps be taken to insure an adequate and continuous flow of water at all times, regardless of reasonably anticipated weather conditions.

IT IS FURTHER ORDERED that within sixty (60) days after the effective date of this order, said defendant shall file with the Commission a statement of the steps taken to correct the conditions shown by the evidence of record, including the measures employed to render the water supply potable and to guard against future contamination thereof.

C-5010
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Corr.

This order shall become effective twenty (20) days after
the date hereof.

Dated at San Francisco, California, this 4th day
of October, 1949.

R. Z. [Signature]
Justice J. Calmes
Sup. of [Signature]
Harold [Signature]
[Signature] (Attorney)
Commissioners.