

ORIGINAL

Decision No. 42646

## BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of the ESTATE OF JAMES I. WAGY, also known as J. I. WAGY, DECEASED, doing business in Maricopa, California, under the name and style of "West Side Water Company," to sell, and of WESTERN WATER COMPANY, a corporation, to buy, all that certain public utility water system known as "West Side Water Company" (except the fire system), and of WESTERN WATER COMPANY, a corporation, to establish rates, rules and regulations for service to be rendered by it in the territory formerly served by said West Side Water Company.

Application No. 30834

OPINION

In this application, Julian R. Wagy, Administrator with the Will Annexed of the Estate of James I. Wagy, also known as J. I. Wagy, Deceased, operating a public utility water system, including a supplemental system used for fire protection, in the City of Maricopa, Kern County, under the name and style of West Side Water Company, asks the Commission for authority to sell all of that public utility water system, except the fire system, to Western Water Company, a public utility corporation, which joins in the application. In Application No. 30835, filed concurrently with this application, the Commission is asked to authorize the sale of fire protection system to the City of Maricopa.

Prior to the filing of these applications, on October 22, 1949, the City of Maricopa and the Western Water Company entered into an agreement, a copy of which is attached to the application herein and made a part thereof, marked Exhibit 2, respecting the operation of the water properties of the West Side Water Company contingent upon the

acquisition of the main water system by the Western Water Company and of the fire protection system by the City of Maricopa, particularly with reference to the operation of the fire system and the rates to be charged by Western Water Company for water to be supplied to the City of Maricopa for the fire system. A schedule of consumption rates and minimum charge is attached to the said Exhibit 2 of the application and Western Water Company proposes to initiate these rates for fire protection service. For all other service rendered in the Maricopa service area, Western Water Company proposes to adopt and file the same schedule of rates and charges now on file and in effect for the West Side Water Company. Western Water Company also proposes to extend and make applicable to the Maricopa service area its existing rules and regulations applicable to its retail department, except that it proposes to change Rule 5, in so far as applicable to the Maricopa service area, to require a deposit of \$3.50 in cases specified under its rules and regulations.

Accordingly, the Western Water Company asks the Commission for authority to make effective on the date of transfer the rates as above proposed for domestic, commercial, and fire protection service, respectively, to extend its rules and regulations to the Maricopa service area, and, pending the rehabilitation of said system, to carry out the provisions of the said contract with the City of Maricopa.

The properties to be transferred to Western Water Company are particularly described as Parcel 1 in the notice of sale attached to the application herein and marked Exhibit 1 and comprise all of the properties heretofore operated under the name of West Side Water Company, save and except the fire system properties described as Parcel 2 in said notice of sale, and further excepting the following: cash on hand, accounts and notes receivable, office equipment, and Lot 9, Block 1, of Maricopa Townsite and the improvements thereon,

and an automotive truck. Western Water Company's bid of \$10,500 for the Parcel 1 properties was accepted by the Administrator and subsequently approved by the Superior Court of the State of California in and for the County of Kern. It intends to take possession of said properties and operate the same as a public utility water system commencing on the meter reading date nearest to December 25, 1949. The City of Maricopa intends to take possession of the Parcel 2 properties at or about the same time. The Commission hereby finds that the transfer of these properties is not adverse to the public interest.

O R D E R

The Commission has considered this matter and it is of the opinion that a public hearing is not necessary, and that the application should be granted, as herein provided; therefore,

IT IS HEREBY ORDERED, as follows:

1. That Julian R. Wagy, Administrator with the Will Annexed of the Estate of James I. Wagy, also known as J. I. Wagy, Deceased, doing business under the name and style of West Side Water Company, after the effective date of this order and on or before January 31, 1950, may sell and transfer the water properties referred to in this proceeding as Parcel 1 to Western Water Company.
2. That said Julian R. Wagy shall file with the Commission within thirty (30) days after the transfer of said water properties, a statement indicating the exact date upon which control of said properties was relinquished.
3. Upon compliance with paragraphs 1 and 2 above, said Julian R. Wagy and the West Side Water Company shall stand relieved of all further public utility obligations, except fire protection service to the City of Maricopa, in connection with said water properties.
4. That Western Water Company shall file with the Commission, on or before February 15, 1950, a certified copy of the instrument executed to convey title to said water properties, which conveyance shall be substantially in the form attached to the application herein, marked Exhibit 3, and by reference made a part hereof.

5. That Western Water Company shall assume the payment of all moneys, if any, which customers are entitled to have refunded as deposits made heretofore with West Side Water Company for main extensions, meter and service connections and/or any other purpose, and not later than thirty (30) days after the transfer of said water properties, shall file with this Commission a statement to the effect that the payment of all such moneys has been duly assumed.
6. That Western Water Company is authorized to file in quadruplicate with this Commission after the effective date of this order, in conformity with the Commission's General Order No. 96, the schedules of rates shown in Exhibit A attached hereto and to make said rates effective for service rendered on and after the date of filing, as follows:  

Schedule No. 7, General Metered Service  
Schedule No. 8, Fire Protection Service
7. That Western Water Company is authorized to extend and make applicable to the Maricopa service area its existing rules and regulations applicable to its retail department, except that Rule 5 may be changed, in so far as applicable to the Maricopa service area, to require a deposit of \$3.50 in cases specified under its rules and regulations.
8. That Western Water Company shall file with this Commission, within forty-five (45) days after the effective date of this order, four copies of 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 its acquired service area in and around the City of Maricopa and the location thereof with reference to the immediate surrounding territory; provided, however, that such filing shall not be construed as a final or conclusive determination or establishment of the dedicated area of service or any portion thereof.
9. That Western Water Company shall file with this Commission, within sixty (60) days after the effective date of this order, 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 to be served in and around the City of Maricopa. This map should be reasonably accurate, show the source and date thereof, and include sufficient data to determine

Schedule No. 7

GENERAL METERED SERVICE

APPLICABILITY

Applicable to all domestic, commercial, and industrial metered water service.

TERRITORY

In the City of Maricopa, Kern County, and in the vicinity thereof.

RATES

Per Meter  
Per Month

Quantity Rates:

First	1,000 cubic feet, per 100 cubic feet.....	\$1.00
Next	4,000 cubic feet, per 100 cubic feet.....	0.75
	All over 5,000 cubic feet, per 100 cubic feet	0.55

Minimum Charge:

For	1/2 or 5/8 x 3/4-inch meter .....	\$2.00
For	3/4-inch meter .....	4.00
For	1-inch meter .....	6.00
For	1 1/2-inch meter .....	8.00
For	2-inch meter.....	12.00

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

Schedule No. 8

FIRE PROTECTION SERVICE

APPLICABILITY

Applicable to all water service furnished for fire protection service.

TERRITORY

In the City of Maricopa, Kern County.

RATES

Quantity Rates:

For all water supplied for fire purposes:

Per 100 cubic feet .....	\$0.6233
Per barrel.....	0.035

Minimum Charge:

Per Month

For each hydrant or connection.....\$2.00

The Minimum Charge shall be applied against any consumption charge per month up to the amount of such monthly minimum charge.

clearly and definitely the location of the property comprising the entire area of utility service; provided, however, that such filing shall not be construed as a final or conclusive determination or establishment of the dedicated area of service or any portion thereof.

The action taken herein shall not be construed to be a finding of the value of the properties herein authorized to be transferred.

The authority granted herein shall become effective upon the date hereof.

Dated at San Francisco, California, this 20<sup>th</sup> day of December, 1949.

R. E. Dwyer  
James G. Larkin  
James H. Larkin  
Harold P. Kula  
Francis H. Pottel  
Commissioners