

ORIGINAL

Decision No. 42879

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

In the Matter of the Application of  
 Gregory E. Koshell and Pearl B. Koshell,  
 his wife, for a certificate of public  
 convenience and necessity to operate a  
 water system for the furnishing of water  
 to the public in the area hereinafter  
 described, and to establish water rates.

Application No. 30626

Gregory E. Koshell, for applicant.

O P I N I O N

Gregory E. Koshell and Pearl B. Koshell, his wife, by the above-entitled application filed September 15, 1949, request a certificate of public convenience and necessity to operate a public utility water system to serve Southland Village No. 2, located in Sacramento County, near the City of Sacramento. A map of the subdivision is attached to the application and marked Exhibit A. A public hearing on this application was held before Examiner Edwards on January 30, 1950, at Sacramento, California.

Witnesses testified that 900 feet of six-inch 12 gauge pipe and 25 service connections had been installed and about 12 homes were being served from a well located on a 20 feet by 20 feet portion of Lot 57, Southland Village Unit No. 2.

Applicants submitted a map of the area in which they are requesting this certificate of public convenience and necessity as Exhibit No. 1. It covers an area of approximately 30 acres bounded by Franklin Boulevard, Fruitridge Road, Strawberry Lane and the rear lot line between Popular Avenue and 26th Avenue. Immediate plans include the installation of an additional 1,500 feet of six-inch pipe and a

3,000 gallon pressure tank to replace the present 1,000 gallon tank. A deep well turbine pump equipped with a 7½ horsepower motor is on hand for installation in the well when the number of customers increases and the present 1½ horsepower unit becomes inadequate. This system will be adequate to serve about 50 customers and will cost an estimated \$11,500.

The record in this proceeding shows that Southern California Water Company holds a franchise to construct and operate a water system granted by the County of Sacramento through Ordinance No. 343, dated October 27, 1948, covering a considerable territory adjoining the City of Sacramento and including the service area requested by applicants herein. This company was not represented at the hearing, and was later contacted by letter as to its desire in serving the area. The company, on February 7, 1950, replied as follows:

"Replying to your letter of January 31, 1950, File No. A-30626, we have no objections to the granting of a Certificate of Public Convenience and Necessity to Mr. Koshell, in an area bounded by Franklin Boulevard, Fruitridge Road, Strawberry Lane, and Popular Avenue, adjacent to Sacramento. As you state, this is presently isolated from the area we are now supplying."

Normally the county does not require a franchise to construct and operate a water system. The water mains have been installed in easements reserved for such purpose or in the streets prior to dedication to the public use. It does not appear that such a franchise is necessary in this case. Although applicants do not have a county franchise to construct and operate a water system, they have agreed to acquire one at any time demanded by county authorities. Under the circumstances, the certificate of public convenience and necessity requested may properly be issued.

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 certifi-

cate 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.

Flat rates authorized for other public utility water systems in the Sacramento area were shown to be \$2 per month including garden irrigation of from 2,500 to 3,000 square feet. The meter rates requested are in close agreement with others in this area. The following order will include a flat rate schedule for residences at \$2.25 per month, including the irrigation of 3,000 square feet of garden area, as operating costs have continued to increase during the last few years. The meter rate will be authorized as requested.

#### 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 Gregory E. Koshell and Pearl B. Koshell, his wife, to maintain and operate a public utility water system in the 30 acre area south of the city of Sacramento, as delineated upon the map filed as Exhibit No. 1 in this proceeding.

IT IS HEREBY ORDERED as follows:

1. That a certificate of public convenience and necessity be and it is hereby granted to Gregory E. Koshell and Pearl B. Koshell, his wife, to maintain and operate a public utility for the distribution and sale of water within the territory hereinabove described.
2. That Gregory E. Koshell and Pearl B. Koshell, his wife, be and they are hereby authorized and directed to file in quadruplicate, in conformity with this Commission's General Order No. 96, within thirty (30) days from the effective date of this Order, the following schedules of rates to be charged for all water service rendered to their consumers on and after said effective date, which schedules of rates are hereby found to be just and reasonable for the service to be rendered.

3. That Gregory E. Koshell and Pearl B. Koshell, his wife, 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 its 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 its 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 of establishment of the dedicated area of service, or any portion thereof.
  
4. That Gregory E. Koshell and Pearl B. Koshell, his wife, 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 effective date of this order shall be twenty (20) days from and after the date hereof.

Dated at San Francisco, California, this 7<sup>th</sup> day of March, 1950.

R. J. [Signature]  
Justin F. [Signature]  
[Signature]

[Signature]  
 Commissioners.

Commissioner Harold P. Huls, being necessarily absent, did not participate in the disposition of this proceeding.

Schedule No. 1

FLAT RATES

APPLICABILITY

Applicable to all flat rate water service.

TERRITORY

In approximately 30 acres south of the City of Sacramento, bounded by Franklin Boulevard, Fruitridge Road, Strawberry Lane, and the rear lot lines between Popular Avenue and 26th Avenue.

RATES

	<u>Per Month</u>
For each residence, including reasonable and necessary quantities of water for an irrigated area of not over 3,000 square feet of lawns, gardens, shrubbery and trees.....	\$2.25
For each residential establishment, for all irrigated area in excess of 3,000 square feet, payable during the six months of May to October, inclusive, per 100 square feet.....	.02

Schedule No. 2

METER RATES

APPLICABILITY

Applicable to all measured water service.

TERRITORY

In approximately 30 acres south of the City of Sacramento, bounded by Franklin Boulevard, Fruitridge Road, Strawberry Land, and the rear lot lines between Popular Avenue and 26th Avenue.

RATES

Per Month

Minimum Monthly Charges:

For 5/8 x 3/4-inch meters.....	\$1.75
For 3/4-inch meters.....	2.25
For 1-inch meters.....	3.25

The minimum monthly charges will entitle the consumer to the quantity of water which that minimum monthly charge will purchase at the following Monthly Quantity Rates.

Monthly Quantity Rates:

First 800 cu. ft., or less.....	1.75
Next 1,200 cu. ft., per 100 cu. ft.....	.175
Next 3,000 cu. ft., per 100 cu. ft.....	.15
Next 5,000 cu. ft., per 100 cu. ft.....	.12
Over 10,000 cu. ft., per 100 cu. ft.....	.10