

Decision No. 44714**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
 Walter E. Pilz, Valley Center,
 California, for a Certificate of
 Public Convenience and Necessity.

Application No. 31310

Walter E. Pilz in propria persona;
W. W. Murray, interested party

O P I N I O N

Walter E. Pilz, an individual, by the above-entitled application filed April 12, 1950, requests a certificate of public convenience and necessity authorizing him to operate a public utility water system.

Applicant's proposed service area is located near the unincorporated community of Valley Center, San Diego County, California. The map attached to the application more particularly delineates the proposed area and shows the present water system installations.

A public hearing on this application was held before Examiner Warner on August 10, 1950, at Escondido, California.

Walter E. Pilz is the owner, free of encumbrance, of approximately 90 acres of unsubdivided, hilly land described as the S $\frac{1}{2}$ of the NW $\frac{1}{4}$ of Section 18, T11S, R1W, SBB&M, and the E1/8 of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 13, T11S, R2W, SBB&M. Applicant proposes to sell one-half to five-acre parcels of this land to be used for small homes and ranches. At the present time, there are two customers being furnished water service. The southwest corner of the service area abuts the county highway at a point approximately 9 miles north of Escondido, California.

A financial statement attached to the application indicates that applicant is financially responsible to assume obligations for, and engage in, the operation of a public utility water system.

Water is obtained from a dug-well, approximately 60 feet deep, located at an elevation of 1,326 feet, in a gully, in the northeastern part of the service area. The well is 42 inches in diameter at the top, is concrete lined, and is covered. It was dug in the fall of 1949, and has been tested for a production of 25,000 gallons per day. Applicant stated that he intended to deepen the well to 100 feet, and to add laterals if demands upon the system warranted. He also stated that he intended to build a dam above the well, and to construct diversion channels to prevent damage in the event of floods.

A gasoline engine-driven pump delivers the water from the well through 1,564 feet of 2-inch pipe to a 20,600-gallon steel storage tank, located at a point approximately 200 feet above the well site. Standby service is maintained by a second gasoline engine at the well site which can be placed in operation on short notice. Applicant stated he intended to install a device to automatically control the water level in the tank. He also stated that he intended to cover the storage tank.

Water is distributed from the tank through 651 feet of 2-inch and approximately 300 feet of 1½-inch pipe. No fire hydrants have been installed and applicant does not intend to render fire hydrant service. A certificate of the San Diego Department of Public Health filed as Exhibit No. 1 indicates that the water supply was tested and found to be potable.

From a review of the record regarding the sources of water, as outlined hereinabove, it appears that the water supply available to the applicant is adequate to serve the proposed area.

The record shows that there is no public utility water company, mutual or municipal water system, or water district adjacent to the proposed service area.

Applicant stated that it has not been necessary to secure a franchise from San Diego County, but that he would be willing to secure such a franchise at a later time if it were found to be necessary.

A report introduced as Exhibit No. 2, by a Commission staff engineer, shows the total plant cost to be \$5,489, as of August 10, 1950.

Applicant's proposed meter rates provide for a monthly minimum charge of \$2.75 for a 3/4-inch meter, entitling the consumer to 6,000 gallons of water per meter per month, with all water usage over 6,000 gallons at 15 cents per 1,000 gallons per meter per month. The rates as proposed appear to be reasonable and they will be authorized.

The Commission has considered the request for a certificate of public convenience and necessity and is of the opinion that it should be granted, 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.

The action taken herein shall not be construed to be a finding of the value of the property of Walter E. Pilz.

O R D E R

The above-entitled application having been considered, a public hearing having been held, the matter having been submitted and now being ready for decision,

IT IS HEREBY FOUND AS A FACT that public convenience and necessity will require the operation of a public utility water system by Walter E. Pilz, an individual, in an area comprising some 90 acres of unsubdivided land located on the northwest side of the county highway, approximately 9 miles north of Escondido, near the unincorporated community of Valley Center, in San Diego County; said area being more particularly delineated on the map filed with the application in this proceeding and described as the S $\frac{1}{2}$ of the NW $\frac{1}{4}$ of Section 18, T11S, R1W and the E1/8 of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 13, T11S, R2W, SEB&M; therefore,

IT IS HEREBY ORDERED that a certificate of public convenience and necessity be and it is granted to Walter E. Pilz to operate a public utility water system for the production, distribution and sale of water within the territory hereinbefore described.

IT IS HEREBY FURTHER ORDERED that applicant shall:

1. File the rates set forth in Exhibit A attached to this order, to be effective on and after October 1, 1950, together with rules and regulations and tariff service area map acceptable to this Commission and in accordance with the requirements of General Order No. 96.

2. File, within forty (40) days after the effective date of this order, four copies of a comprehensive map, drawn to an indicated scale of not less than 400 feet to the inch, delineating by appropriate markings the various tracts of land and territory served and the location of the various properties of applicant.

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

Dated at San Francisco, California, this 29th day of August, 1950.

A. E. Munroe
Justice F. Calver
Harold H. Hulse
Herbert H. Potter
Commissioners.

Schedule No. 1

GENERAL METERED SERVICEAPPLICABILITY

Applicable to all metered water service.

TERRITORY

Within the authorized service area comprising some 90 acres of unsubdivided land located on the northwest side of the county highway, approximately 9 miles north of Escondido, California, near the unincorporated community of Valley Center, San Diego County.

RATES

Per Meter
Per Month

Quantity Rates:

First 6,000 gallons or less	\$2.75
Over 6,000 gallons, per 1,000 gallons15

Minimum Charge:

For 5/8" x 3/4-inch meter	2.75
For 3/4-inch meter	3.25
For 1-inch meter	4.25
For 1 1/2-inch meter	6.50
For 2-inch meter	10.00

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