

Decision No. 46930

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)  
PARK WATER COMPANY, a corporation, )  
for authority to extend its water )  
service to Tract Nos. 15929, 16248 )  
and 16282 and certain other areas )  
near Downey in the County of )  
Los Angeles. )

Application No. 32918

Gibson, Dunn & Crutcher, by Max Eddy Utt, attorney,  
for applicant; Moss, Lyon & Dunn, by George C. Lyon,  
attorney, for Mountain Properties, Inc., protestants  
as to Tracts Nos. 15298, 16248 and 16282;  
James F. Wilson, for the Commission staff.

O P I N I O N

Park Water Company, a corporation, by the above-entitled application filed November 19, 1951, seeks a certificate of public convenience and necessity to extend its water service into three subdivided and unsubdivided, noncontiguous areas of unincorporated territory near Downey, Los Angeles County. The areas are more particularly delineated on the map attached to the application as Exhibit A and on maps filed at the hearing as Exhibits Nos. 2, 3 and 4.

A public hearing in this matter was held before Examiner Warner on February 6, 1952, at Los Angeles.

Mountain Properties, Inc., a public utility water corporation operating under the jurisdiction of this Commission protested the granting of the application for a certificate to serve Tracts Nos. 16282, 15929 and 16248, Los Angeles County, on the grounds that by its Decision No. 29695, dated April 26, 1937, in Application No. 21015 and Decision No. 33068, dated May 6, 1940,

in Application No. 23239, the Commission had certificated the territory of which Tract No. 16248 is now part to Mountain Properties, Inc., as a portion of its water system, known as Orangewood. However, a stipulation and agreement<sup>1/</sup> filed subsequent to the hearing as Exhibit No. 1, were entered into, of record in the proceeding herein, whereby Mountain Properties, in consideration of the settlement of certain conflicting claims between itself and applicant concerning service to various specified areas, agreed to withdraw its protest thereto. A map, attached as Exhibit No. 1-A to said stipulation, delineates the areas covered by the stipulation. The only area directly involved in this proceeding consists of adjoining Tracts Nos. 16282, 15929, and 16248. (Such area is hereinafter referred to as Area I.) Mountain Properties claims that it has heretofore been issued a certificate authorizing it to serve in Tract No. 16248. (Decision No. 29695, Application No. 21015; Decision No. 33068, Application No. 23239.) According to the stipulation, Mountain Properties cedes to Park any existing right to serve in these three adjoining tracts, and withdraws all protests to the issuance of a certificate to Park covering those tracts, except that Mountain Properties may continue to serve the residence now owned by W. E. Holmes at 8311 Manzanar Avenue.<sup>1/</sup>

The balance of the stipulation relates to other areas, not involved in this proceeding, in which the two utilities are said to have conflicting claims. These conflicts have been resolved

<sup>1/</sup> In view of the stipulation a supplemental order is being issued in Applications Nos. 21015 and 23239, amending Decisions Nos. 29695 and 33068, so as to eliminate therefrom any authorization that may have been issued therein to Mountain Properties to serve within Tract No. 16248, except to the Holmes' residence.

by mutual agreement not to protest the issuance of certain certificates that may be requested by future applications. Whether or not such applications will be granted necessarily depends upon the records to be adduced in such future proceedings.

Park Water Company filed a copy of its Articles of Incorporation in Application No. 21668, and amendments thereto were filed in Applications Nos. 22589, 25137 and 27000. It furnishes water service to more than 12,000 consumers in Los Angeles and San Bernardino Counties in several separate water systems.

The areas and the water system facilities installed and proposed to be installed, for which a certificate is now requested, are discussed as follows:

#### Area I

This area is composed of Tracts Nos. 15929, 16248 and 16282, Los Angeles County, in the general vicinity of the northwest corner of Anaheim-Telegraph Road and Manzanar Avenue. It comprises 315 lots, and as of January 1, 1952, domestic water service was being furnished to 292 consumers, of which three are metered and 289 flat rate. The three metered services are located within the tract and the proposed service area boundaries, but are connected to farmhouses located outside the boundaries to the west and north.

Applicant's source of water supply for these tracts is a well located on Lot 46, Tract No. 15929, 16 inches in diameter, 492 feet in depth, in which is installed a pump driven by a 50 hp electric motor. The installed pumping capacity of the well is 2,600 gallons per minute. A 12,500-gallon pressure tank, in series with a 200-gallon sand trap, is operated with a normal pressure range of 35 pounds to 55 pounds. Applicant owns another well site upon which a standby well could be drilled if found to be necessary. The distribution system is completely circulating and consists of

8-inch, 6-inch, and 4-inch cast-iron pipe. Fire hydrant standpipes are located throughout the area. The pipe-line facilities installed are delineated on the map filed at the hearing as Exhibit No. 2.

The record shows that the source of water supply has been tested periodically by Los Angeles County Health Department authorities and has been found to be potable.

No other public utility of like character except Mountain Properties, as noted hereinbefore, with which applicant might compete, operates in the general area.

Area II

This area is composed of Tracts Nos. 1290 and 14227 and an unsubdivided area north of Florence Avenue and west of Old River School Road to the Los Angeles City Department of Water and Power right of way. Tract No. 14227 contains 77 lots; Tract No. 1290 has not been resubdivided into numbered lots. As of January 1, 1952, there were 82 active services and a potential of 133 services. Of the active services, 12 are metered and 70 are flat rate.

Applicant's source of water supply for this area is provided by two wells located in Tract No. 1290. They are 10 inches and 8 inches in diameter and 140 feet and 110 feet in depth, respectively. Each well is equipped with a 10 hp electric motor direct-connected to a pump producing 200 gallons per minute. Pressure tanks of 3,500 gallons and 2,000 gallons capacity are operated with a normal range of 35 pounds to 55 pounds. These tanks are interconnected by a 6-inch main. The pipe-line facilities installed are delineated on the map filed at the hearing as Exhibit No. 3.

The record shows that the source of water supply has been tested periodically by Los Angeles County Health Department authorities and has been found to be potable.

No other public utility of like character, with which applicant might compete, operates in this area, and although notice of the hearing was sent to Downey County Water District, which operates a water system in the vicinity, no appearance was made by it at the hearing.

### Area III

This area includes the following:

- (1) Tract No. 17013, located on the east side of Lakewood Boulevard, south of Gallatin School House Road, and an adjacent subdivided 10 acres in which, as of January 1, 1952, there were 11 active services, all metered, and a potential of 100 services. The water supply for this territory is obtained through an 8-inch main connection with applicant's present service area to the north, the southerly boundary of which is along Gallatin School House Road and easterly of Lakewood Boulevard.
- (2) Tracts Nos. 14403 (95 lots), and 15540 (19 lots), located at the southeast corner of Florence Avenue and Lakewood Boulevard; Tracts Nos. 16124 (24 lots) and 16327 (20 lots), located on the south side of Florence Boulevard at Lesterford Avenue and Casanes Avenue, respectively; and Tracts Nos. 16334 (17 lots) and 16348 (17 lots), located north of Florence Avenue along Downey Stanford Bridge Road at Gainford Street. These tracts are interconnected with 8-inch mains. Applicant proposes to surround the entire area, including area (1) above, with 8-inch mains, and interconnections with applicant's present service areas are presently effected at Florence Avenue and Lakewood Boulevard, at Florence Avenue and Lesterford Avenue, and at School House and Bridge roads. A well, 16 inches in diameter, 440 feet in depth, is located on Tract No. 16124. Its installed production capacity is 2,100 gallons per minute. Its 100 hp pump discharges into the 8-inch mains interconnecting areas (1) and (2). A 12,500-gallon pressure tank is operated with a normal range of 40 pounds to 65 pounds. As of January 1, 1952, there were 158 active services, of which 51 are metered and 107 flat rate, and a potential of 365 services.

The presently installed pipe lines in this area are delineated on the map filed at the hearing as Exhibit No. 4.

The record shows that the sources of water supply for this area have been tested periodically by Los Angeles County Health Department authorities and have been found to be potable.

No other public utility of like character, with which applicant might compete, operates in this area.

From a review of the record, it is evident that the sources of water supply and the distribution systems installed and proposed to be installed are adequate to serve Areas I, II and III.

Applicant proposes to apply its presently filed flat and general metered service rates to the proposed areas. The present flat rate is \$1.50 per month. The metered service rate includes a minimum charge of \$1.50 per month for 3/4- and 1-inch meters, which entitles the consumer to 1,000 cu. ft. of water per month. The quantity rate provides for the first 2,000 cu. ft. or less of water usage per meter per month at \$0.15 per 100 cu. ft., with the next 8,000 cu. ft. at \$0.125 per 100 cu. ft., the next 90,000 cu. ft. at \$0.10 per 100 cu. ft., the next 200,000 cu. ft. at \$0.08 per 100 cu. ft., and all over 300,000 cu. ft. at \$0.075 per 100 cu. ft.

The Commission has considered the request of Park Water Company for a certificate of public convenience and necessity to construct and operate a water system in Areas I, II, and III, as outlined herein, 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 herein described.

O R D E R

Park Water Company, a corporation, having applied for a certificate of public convenience and necessity to extend its water system into three subdivided and unsubdivided areas, designated as Areas I, II, and III, in unincorporated territory near Downey, Los Angeles County, 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 require the construction and operation of a public utility water system by Park Water Company in the so-called Area I, including Tracts Nos. 15929, 16248 and 16282, Area II, including Tracts Nos. 1290 and 14227 and certain unsubdivided territory adjoining on the north, and Area III, including Tract No. 17013 and an adjacent 10 acres, and Tracts Nos. 14403, 15540, 16124, 16327, 16334 and 16348, together with certain unsubdivided territory, each as outlined in the opinion preceding this order; therefore,

IT IS HEREBY ORDERED as follows:

1. That Park Water Company be and it is granted a certificate of public convenience and necessity to construct and operate a public utility water system in the territory delineated on the map attached to this order as Exhibit A.
2. Applicant is authorized to apply its presently filed flat and general metered service rates in the territory hereinbefore described.
3. Applicant shall 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 600 feet to the inch, delineating by appropriate markings the various tracts of land and territory served, and the location of various properties of applicant.





- 4. Applicant shall file four copies of a tariff service area map acceptable to the Commission and in accordance with the requirements of General Order No. 96.

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

Dated at San Francisco, California, this 1<sup>st</sup> day of April, 1952.

R. T. Inman  
President.  
James J. Caswell  
Harold Hule  
John L. [unclear]  
Commissioners.