

ORIGINAL

Decision No. 47236

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

FRED W. COOPER, et al.,
Complainants,

vs.

BRUCE E. BAIRD, an individual
doing-business under the firm
name of BAIRD WATER COMPANY
AND PACIFIC GAS & ELECTRIC
COMPANY

Defendants..

Case No. 5290

John Burritt, of Burritt & Young and Russell Scott,
City Attorney, for complainants and for the City
of Salinas, intervener on behalf of complainants.

William C. Theile, for Bruce E. Baird; Ralph W.
DuVal, for Pacific Gas & Electric Company,
as its interests may appear.

Harold J. McCarthy for the Commission's staff.

O P I N I O N

Complainants allege that water service rendered by
Bruce E. Baird in Airport Tracts Nos. 1 and 2, near Salinas,^{1/}
is inadequate for domestic use and fire protection and that
rates are excessive and are disproportionate to the value of
the service. Complainants request an order (a) directing Baird
to improve his system, or (b) authorizing Pacific Gas and
Electric Company to serve the tracts if Baird fails to make
required improvements.

^{1/} The tracts were annexed to the city on May 16, 1950.

Baird, by his answer, alleges that improvements now planned will afford an adequate supply of water.. Pacific Gas and Electric Company made no response to the complaint since, as stated by its counsel at the hearing, no charge was laid against the company.

Public hearings were held at Salinas before Examiner Gregory on March 28 and April 2, 1952..

Baird acquired the subdivisions in 1938 and secured a certificate authorizing public utility water service the following year (Decision No. 33242, Application No. 23389).

The two subdivisions comprise approximately 60 acres of land situated west of U. S. Highway 101 about 2 miles north of the central portion of Salinas. Mains were installed in Tract No. 1 in 1935 and in Tract No. 2 in 1939 and have not been replaced, although certain extensions have been laid in the southerly portion of Tract No. 1. There are two 14-inch wells each about 300 feet deep, located in the southeast portion of the area. Well No. 1 has a Fairbanks Morse deep-well turbine pump connected to a 20 hp motor. In September, 1951, a Byron Jackson submersible pump with a 10 hp motor, connected to Well No. 2, was replaced with a Berkeley 9-stage deep-well turbine pump and 20 hp motor. The combined rated capacity of the two pumps at total heads of 160 feet and 270 feet, respectively, is 600 gallons per minute. The pumps start when pressure drops to 40 psi and stop when it reaches 60 psi. Pump tests conducted on March 21, 1952, by a Pacific Gas and Electric Company test engineer, indicate good over-all efficiency of both pumps at average operating pressures of 53 and 60 pounds, respectively. Pressure measurements at various points on the system, made between 1 and 2 p.m. the same day by a registered civil engineer

consulted by Baird to plan improvements, indicate pressures ranging from 37 psi to 58 psi with pressure at the pumping plant at 1 p.m. reading 44 psi. The distribution system includes about 10,700 feet of cast-iron and steel pipe, ranging in size from 4 to 2 inches in diameter, and three wharf type fire hydrants with 4-inch risers and 2½-inch outlets, which, when tested March 21, 1952, between 9 a.m. and 10 a.m. with a Salinas Fire Department pumper, developed flows of 326, 167, and 89 gallons per minute, respectively. The record indicates that the flow from Hydrant No. 1, located near the pumping plant, was adequate for fire protection purposes under the pressures available at the time of the test, but that the flows from the other two hydrants were not. The evidence establishes that, although there is ample fire protection from other sources on the southerly side of the tract, the balance of the area west and north of the pumping plant in the direction of Crescent Way is without adequate protection from any but small fires. The Salinas Fire Chief stated he would be satisfied with a flow of 350 gallons per minute on Crescent Way, that there should be more fire hydrants in the area, and that mains should be enlarged to increase the volume of water available in case of fire.

Complaints by residents concerning water service included low pressures during summer and fall months, rust and sand in the water, frequent interruptions in service, sometimes without notice from the company, wastage of water and discrimination in water service charges. There are 305 service connections of which 84 were metered in 1950. The tracts are almost completely developed but there are some fringe acreages within the dedicated service area that may eventually be subdivided and supplied with water from the system if extended.

The principal complaint concerning interruptions in service resulted from distribution line breaks which occurred early in 1951 during installation of sewers by the City of Salinas. There have been few complaints on that score, or because of low pressures, since the new pump and motor were placed in service in September, 1951. Several metered customers voiced objection to excessive use of water for gardening purposes by neighbors who enjoy flat rate service. Baird testified that additional meters would be connected when funds were available.

One of the controversial points in this case devolves from the inability of Baird and officials of the City of Salinas to reach an agreement respecting improvements to the water system and streets in the newly annexed area, as well as the extent to which they will be responsible for more adequate fire protection facilities. The city maintains that it cannot grade, oil or sand the streets, much less pave them, without danger to the pipe lines, some of which lie at depths of from only 10 to 20 inches below the surface, as shown by recent spot checks conducted by the city's Director of Public Works.^{2/} The streets, which are surfaced with asphalt and sand, have deteriorated since the sewer installations in 1951. Many are uneven and are patched with asphalt. Baird's engineer made no estimate of the cost of lowering the present pipe lines to a depth of 30 inches. He expressed the opinion, however, that ordinary residential type street paving could be laid over the existing mains at their present depth.

^{2/} Ordinance No. 146 (NS) of the City of Salinas, adopted November 16, 1914, provides as follows, in part:

"Section 1. All water mains laid in the streets of Salinas City shall be laid therein at a depth of not less than thirty (30) inches, and all service pipes for water shall be laid in such streets at a depth of not less than fifteen (15) inches."

Baird has discussed with the city officials various proposals for improvement of the system, including additional fire protection, with inconclusive results. He offered, at the hearing, to enlarge the present 3-inch main on Curtis Street to 6 inches for about 1,700 feet, and to install and connect three additional fire hydrants, at a total estimated cost of \$10,000, including overhead. Enlargement of the Curtis Street main would make available a greater volume of water in the center of the tract and in areas more distant from the pumping plant, and would also materially increase the flow at the fire hydrants. A further extension of the proposed 6-inch line for about 450 feet along Third Street, to connect with the existing 4-inch cross line running east and west through the center of the tracts, was also recommended by Baird's engineer, but its cost was not included in the \$10,000 cost estimate mentioned above.

We find, on this record, that the improvements recommended by Baird's engineer; viz., replacement of the 3-inch main on Curtis Street with 6-inch pipe, extension of the 6-inch line along Third Street for about 450 feet to connect with the existing 4-inch cross line, and installation of three additional fire hydrants, are reasonable and that they are necessary for the rendition of more adequate water service and fire protection in the area involved. These improvements, when made, should alleviate most, if not all, of the causes for complaint by residents of the Airport Tracts which are cognizable by this Commission. This record, however, will not justify us in passing upon the questions of paving the streets and lowering the existing mains in these tracts, as normally the City has the authority to order the lowering of underground facilities to meet changes in street grades in connection with paving projects. We therefore express no opinion on those questions.

O R D E R

Public hearing having been held in the above-entitled and numbered proceeding, evidence having been received and considered, the Commission now being fully advised and basing its order upon the findings and conclusions contained in the foregoing opinion,

IT IS ORDERED:

1. That Bruce E. Baird, defendant herein, be and he hereby is directed:
 - a. Within 90 days from the effective date of this order, to replace the existing 3-inch main in Curtis Street, approximately 1,700 feet in length, with a main of an inside diameter of not less than 6 inches and to extend said 6-inch main along Third Street approximately 450 feet in a northerly direction to connect with the existing 4-inch main crossing Third Street approximately 150 feet south of its intersection with Boeing Avenue. All locations mentioned herein are in Airport Tracts Nos. 1 and 2, annexed to the City of Salinas May 16, 1950.
 - b. Within 90 days from the effective date of this order, to install, at locations within said Airport Tracts as specified by the Salinas Fire Department, three fire hydrants of suitable size and quality and to connect said hydrants to defendant's existing distribution system.
 - c. To report to the Commission monthly in writing, commencing not more than thirty (30) days after the effective date of this order, on the progress of the work herein directed to be done until the completion thereof.

2. That the complaint herein be and it hereby is dismissed as to defendant Pacific Gas and Electric Company.

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

Dated at Los Angeles, California, this 5th day of

June, 1952.

R. Z. [Signature]
President
Justus F. [Signature]
Harold P. [Signature]
[Signature]
[Signature]
Commissioners.