

Decision No. 48195

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the)
Application of WHITTIER WATER)
COMPANY, a California corpora-)
tion, for a Certificate of)
Public Convenience and)
Necessity.)

Application No. 33811

C. L. Gardner, attorney, and C. A. Garnier,
president and general manager, for applicant;
Robert M. Mann, for the Commission staff.

O P I N I O N

Whittier Water Company, a corporation, by the above-entitled application filed October 16, 1952, seeks a certificate of public convenience and necessity to extend its present water system, and to construct and operate a public utility water system in Tracts Nos. 16885 and 18262 in unincorporated territory south of Whittier Boulevard, east of the City of Whittier, Los Angeles County. The areas are delineated on the maps, Exhibit A attached to the application, and Exhibit No. 1 filed at the hearing. The establishment of a schedule of rates to be applied in the proposed area to be known as the La Habra is also requested.

A public hearing in this matter was held before Examiner Warner on December 29, 1952, at Los Angeles. There were no protests to the granting of the application.

General Information

Whittier Water Company is a public utility water corporation, under the jurisdiction of this Commission, furnishing water service to approximately 9,000 consumers in unincorporated territory.

northwest, west, south, southeast and east of the City of Whittier in Los Angeles County. The present rate schedules for its Whittier System, as distinguished from its Rivera System, were established by Decision No. 46782, dated February 19, 1952, in Applications Nos. 32350 (Amended) and 32362.

Applicant's Request for a Certificate
to Serve Tracts Nos. 16885 and 18262

Applicant requests a certificate of public convenience and necessity to serve Tracts Nos. 16885 and 18262, Los Angeles County, which are, at their nearest point, about one-half mile east of the most easterly boundaries of applicant's present service area. Said tracts comprise territory formerly devoted to citrus groves, and are located in an area which is rapidly being subdivided for suburban residential purposes. These tracts comprise 395 lots upon which homes are under construction. Applicant has drilled a well at Scott Avenue south of the Los Angeles and Salt Lake Railroad tracks as shown on Exhibit No. 1. The pumping plant installation in this well has a capacity of about 1,200 gallons per minute. Applicant is constructing a reservoir with a capacity of 5-1/2 million gallons west of Santa Gertrudes Avenue and north of Whittier Boulevard, as also shown on Exhibit No. 1. Water service to the proposed area will be furnished from the new well and from the new reservoir. Applicant will mix water from its Bartolo and Bassett wells, its regular sources of water supply, with that of the new well, the latter being relatively hard water and the former being relatively soft. Distribution systems will be installed in each tract by the subdividers thereof under applicant's regularly filed subdivision extension rule. From a review of the record it is evident that the sources of water supply to and distribution systems planned for the areas are adequate.

Rates

Applicant requests the establishment of a schedule of rates for the proposed area to be known as its La Habra System schedule. The following tabulation is a comparison of applicant's present rates for its Whittier System with those for the proposed La Habra System:

<u>Quantity Rates</u>	<u>Per Meter Per Month</u>	
	<u>Present Whittier System</u>	<u>Proposed La Habra System</u>
First 800 cu.ft., or less	\$1.75	\$2.25
Next 1,200 cu.ft., per 100 cu.ft.16	.13
Next 1,000 cu.ft., per 100 cu.ft.13	.15
Next 1,000 cu.ft., per 100 cu.ft.11	.15
Over 4,000 cu.ft., per 100 cu.ft.11	.12

Corresponding differences in minimum charges are also proposed.

The record shows that this new area has potential development possibilities of about 1,020 new consumers, including those in the tracts herein under consideration. When fully developed the area will be a general extension of applicant's service area to the east.

Applicant introduced Exhibits Nos. 2 and 2A in support of its request for higher rates in the La Habra System than in its Whittier System. It also submitted Exhibits Nos. 4 and 5 by which it purported to establish its needs for still higher rates in the La Habra System.

Conclusions

The Commission has considered the application of Whittier Water Company for a certificate of public convenience and necessity to extend its present water system and to construct and operate a public utility water system in Tracts Nos. 16885 and 18262, Los Angeles County, 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.

The Commission has also considered applicant's request for the establishment of rates for its La Habra System. Inasmuch as the Commission has very recently reviewed the earnings position of applicant's over-all actual and estimated operations and has filed its decision hereinbefore referred to granting applicant's request for an increase in rates in its Whittier System, the need for the establishment of a separate and higher schedule of rates for the La Habra System than for the Whittier System is not indicated by the record in this proceeding. Therefore, we are of the opinion that either set of proposed rates would be unreasonable. The request for a different schedule of rates for the La Habra System will be denied by the order which follows.

O R D E R

The above-entitled application having been filed, a public hearing having been held, the matter having been submitted and the Commission being fully advised in the premises,

IT IS HEREBY FOUND AS A FACT that public convenience and necessity require that Whittier Water Company, a corporation, be granted a certificate of public convenience and necessity to extend its present water system and to construct and operate a public

utility water system in Tracts Nos. 16885 and 18262, Los Angeles County, as delineated on the maps, Exhibit A attached to the application, and Exhibit No. 1 filed at the hearing; therefore,

IT IS HEREBY ORDERED as follows:

1. That Whittier Water Company be, and it is, granted a certificate of public convenience and necessity in the area hereinabove described.
2. That applicant be, and it is, authorized to apply its presently filed rates for its Whittier System for water service in the area for which a certificate is granted by this order.
3. That applicant shall file within forty (40) days after the effective date of this order four copies of a tariff service area map and 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 in the area covered by this order.
4. That applicant's request for the establishment of a schedule of rates for its La Habra System different from those presently filed for its Whittier System be, and it is, denied.

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

Dated at San Francisco, California, this 27th day of January, 1953.

R. J. [Signature]
President.

Justin J. [Signature]

Harold [Signature]

[Signature]

[Signature]
Commissioners.