

Decision No. 49277**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 EARL J. GILLETTE, DEAN J. GILLETTE)
 and DAVID B. GILLETTE, doing business)
 as LA VERNE HEIGHTS DOMESTIC WATER)
 COMPANY, for a certificate of public)
 convenience and necessity to operate)
 a public utility water system and to)
 establish rates for water service in)
 the unincorporated area described as)
 La Verne Heights in the County of)
 Los Angeles.)

Application No. 34765

Walker W. Downs, attorney, for applicant; and
Charles W. Drake, for the Commission staff.

O P I N I O N

Earl J. Gillette, Dean J. Gillette and David B. Gillette, individuals, doing business as La Verne Heights Domestic Water Company, by the above-entitled application filed September 28, 1953, seek a certificate of public convenience and necessity to construct and operate a public utility water system in the unincorporated territory known as La Verne Heights, north of the City of La Verne, Los Angeles County. The establishment of rates for water service is also requested. Exhibit "A" attached to the application is a map of the area for which a certificate is requested.

A public hearing in this matter was held before Examiner Warner on October 23, 1953, at Los Angeles. Although notices of the hearing were sent to all surrounding mutual and public utility water companies in the area, notices of the hearing were published in a newspaper of general circulation throughout the area, and notices were mailed to all twenty-one of applicants' present water users, no protest to the granting of the application was entered at the hearing by any party.

Proposed Service Area

The area in which applicants propose to furnish water service comprises about 400 acres bounded on the south by Foothill Boulevard, on the west by Bradford Street, on the north by a line 2,000 feet north of Base Line Road, and on the east by Laurel Avenue, Oak Hollow Road and Garey Avenue, as shown on the map Exhibit "A". The area is presently devoted to orange groves except for two subdivisions. Tract No. 18053 will contain 51 homes, and Tract No. 19155 will contain 31 homes. Applicants estimate that within three or four years 200 consumers will be connected to the water system.

Water System Facilities

Applicants own a four-fifths interest in two wells located within the proposed service area. ⁽¹⁾ The present pumping plant installations in said wells have a total production capacity of 310 gallons per minute. Applicants also have a firm contract with the Metropolitan Water District to take at least 280 acre feet of water per year from the District at a point approximately in the center of applicants' proposed service area.

Applicants also own a four-fifths interest ⁽¹⁾ in a 760,000-gallon reservoir and have a lease on a 90,000-gallon reservoir, the locations of which are shown on Exhibit "A":

Exhibit No. 2 is a copy of reports of bacterial examinations of water by the Los Angeles County Health Department at each of applicants' well sites and at a spring. This exhibit certifies that on October 13, 1953, the sources of water supply were free of contamination.

From a review of the record it appears that the sources of water supply, and the storage, and transmission and distribution

(1) Applicants are negotiating for purchase of the remaining one-fifth interest in the wells and reservoir.

pipeline facilities installed and proposed to be installed are adequate to serve the proposed area.

Rates

Applicants' proposed rates are set forth in the application. They represent no increase over charges presently being levied by applicants against water users and their filing will be authorized by the order which follows.

Conclusion

The Commission has considered this application 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 herein described.

O R D E R

Application as above-entitled having been filed, 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 that a certificate of public convenience and necessity be granted to Earl J. Gillette, Dean J. Gillette and David B. Gillette, individuals, doing business as La Verne

Heights Domestic Water Company, to construct and operate a public utility water system in the area delineated on the map, Exhibit "A", attached to the application; therefore,

IT IS HEREBY ORDERED as follows:

- (1) That applicants be and they are granted a certificate of public convenience and necessity to construct and operate a public utility water system in the area outlined hereinabove.
- (2) That applicants be and they are authorized to file in quadruplicate with this Commission, after the effective date of this order, in conformity with the Commission's General Order No. 96, a schedule of rates shown in Exhibit A attached hereto, together with rules and regulations and four copies of a tariff service area map, and on not less than one day's notice to the Commission and the public, to make such rates effective for services rendered on and after December 1, 1953.
- (3) That applicants shall file within forty days after the effective date of this order, four copies of a comprehensive map drawn to an indicated scale not smaller 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 applicants.

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

Dated at San Francisco, California, this 3rd day of November, 1953.

R. Z. [Signature]
President

Justin D. [Signature]

[Signature]

[Signature]

[Signature]
Commissioners

EXHIBIT A

Schedule No. 1

GENERAL METERED SERVICE

APPLICABILITY

Applicable to all metered water service.

TERRITORY

The unincorporated area comprising about 400 acres north of the City of La Verne, known as La Verne Heights, Los Angeles County.

RATES

Quantity Rates:

	<u>Per Meter</u> <u>Per Month</u>
First 800 cu. ft. or less	\$ 2.50
Next 1,200 cu. ft. per 100 cu. ft.25
Next 1,000 cu. ft. per 100 cu. ft.20
Over 3,000 cu. ft. per 100 cu. ft.10

Minimum Charges:

For 5/8 x 3/4-inch meter	\$ 2.50
For 1-inch meter	4.50
For 1 1/2-inch meter	9.00
For 2-inch meter	15.00

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