

Decision No. 49394**ORIGINAL**

## BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

JAMES VALERI, et al.,	)	
	)	
Complainant,	)	
	)	
vs.	)	Case No. 5491
	)	
PARK WATER COMPANY, a corporation,	)	
	)	
Defendant.	)	

Gibson, Dunn & Crutcher, attorneys, by  
Max Eddy Utt and Richard L. Wells, for  
 defendant.

James Valerie, Joseph R. Williams, Jack E.  
Colton, Roland V. Passarelli,  
Mrs. Jack Frazier, Mrs. Daryll Skinner,  
Mrs. L. Potts, complainants.

J. T. Phelps, C. T. Coffey, and James F. Wilson,  
 for the Commission staff.

O P I N I O N

On September 3, 1953, a large group of consumers, all residents of Tract No. 17442 involving the 500, 600 and 700 blocks on Cleymar and Caswell Streets and adjoining cross streets in the City of Compton, Los Angeles County, filed a complaint regarding water service furnished to them by Park Water Company, a corporation.

A public hearing in this matter was held before Examiner Warner on November 19, 1953, at Los Angeles. The record in this proceeding was consolidated with the record in Application No. 34699, Park Water Company, for an increase in rates for water service throughout its entire system, and evidence received and testimony taken in both matters were stipulated to be considered a part of the record in each matter wherever applicable. Case No. 5491

was submitted on November 19, 1953, and Application No. 34699 was continued on November 20, 1953, to a date to be set.

Nature of Complaint and  
Testimony of Complainants

James Valeric, Joseph R. Williams, Jack E. Colton, Mrs. Jack Frazier, Roland V. Passarelli, Mrs. Daryll Skinner and Mrs. Leslie Potts testified that domestic water furnished them in their homes contained a strong solution of hydrogen sulphide which had an extremely offensive odor, contained black oily and flaky substances which discolored laundered linens and clothes and caused silver, copper, chrome and brass implements and fixtures to become badly discolored and created dark deposits in sinks, baths, basins and toilet bowls. Some of these witnesses complained that the quality of the water caused children to vomit and created skin rashes.

These complainants further testified that water pressures on occasions, particularly during the summer months, were so low that it was impossible to take baths and, in one instance, a child ill with polio was forced to be taken to a neighboring community for emergency hydrotherapy treatments when sufficient water was not available at its parents' residence.

All complainants testified that calls to the water company on many occasions, since March 1953 and some prior to that date, complaining about water service conditions, were delayed by poor telephone switchboard service at defendant's offices, and that when such calls were taken by personnel assigned to receive complaints, unsatisfactory answers and results were obtained by the water users.

Answer of Defendant

Defendant Park Water Company submitted a map, Exhibit No. 1, at the hearing, showing the location of the area in which complainants live. It shows that the area is part of a large

service area in and in the vicinity of Compton, comprising about 12 subdivisions and including some 1,400 consumers. Defendant's testimony adduced that the first subdivision in the area was served by one well, known as its well No. 31-A, drilled in 1947 to serve Tract No. 14170. Upon the addition of Tract No. 15261 in 1949, water service was furnished from defendant's well No. 31-B, and Tracts Nos. 15981 and 16108 were added, followed by Tracts Nos. 13377 and 14567. During June of 1952 Tracts Nos. 17240 and 15385 were added, followed in September 1952 by Tract No. 17442. In October 1952 defendant put its well No. 30-A into operation. Since October 1952 Tracts Nos. 18117, 18041 and an additional unnumbered tract not shown on Exhibit No. 1 were added.

About 60 days after well No. 30-A was put in operation it produced water containing large amounts of hydrogen sulphide and defendant reduced the production from said well and pumped from its other two wells in the area. Defendant also installed a 6-inch pipeline connecting Tract No. 13798, the most northerly tract of the area south of Compton Boulevard, to its water systems north of Compton Boulevard.

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(1) The record discloses elsewhere that Park Water Company furnishes water service to about 31,000 consumers throughout between 20 and 25 independent water systems in Los Angeles and San Bernardino counties. Said company has about 80 employees, five of whom handle service complaint matters. The company's offices and headquarters are located at 4206 East Rosecrans Avenue, Compton 2, California. Complaints are telephoned or taken in person by consumers to this office. Defendant alleged that it was deficient in office personnel to handle complaints and service calls. Some of its allegations in its Application No. 34699 for an increase in rates were based on a need for additional operating personnel.

Defendant's president testified that he was aware of the conditions complained of and had been since last winter. He had at that time planned to correct this condition by bringing good potable water from wells to the north. The record shows that defendant has a 12-inch pipeline in Tract No. 13798 in an easement about 150 feet west of Central Avenue and north of 154th Street. A plan was drawn to extend this pipeline west to Central Avenue, south to Olive Street and west to an existing 12-inch pipeline in Tract No. 15981, a total distance of approximately 2,093 feet. Defendant's president further stated that he had been unable to carry out this plan because the owner of some 1,400 feet of property lying on the west side of Central Avenue had refused to sell a right of way or easement for the installation of the proposed pipeline but that an attempt was still being made to acquire the necessary easements. He admitted on cross-examination that a right of way or easement might be obtained for this pipeline on the east side of Central Avenue but stated the construction would be awkward. The defendant does not own a franchise in Los Angeles County.

Another witness for defendant testified that if and when an easement were acquired, construction of the pipeline and interconnection of the system could be completed within about 15 days.

Defendant's witnesses admitted the deficient water service conditions complained of and testified that defendant had been and was taking every step to remedy the conditions complained of. They testified that installation of aeration plants, as suggested by certain complainants, was and would be impracticable. They testified further that the importing of water to serve Tract No. 17442, complainants' area, would relieve deficient conditions in surrounding territory also.

#### Conclusion

It appears that the water service conditions, not only in Tract No. 17442, but in all tracts south of 154th Street, served by defendant in this vicinity, are intolerable. Defendant's

excuses for not having remedied such conditions, of which it admittedly was aware, are not convincing. The Commission finds that an emergency condition exists. The order which follows will require that defendant take immediate steps to import water from its water systems north of Compton Boulevard into its water systems south thereof to provide sufficient potable water to augment the water supply of the potable wells in the area under discussion, or by any other means satisfactory to the Commission. The order will require that defendant report to the Commission within one week after the effective date of this order and weekly thereafter until the deficient water service conditions are relieved and remedied. Because of the emergency disclosed by the record and found to exist, the order will become effective on its date.

O R D E R

Complaint having been filed by water service consumers residing in Tract No. 17442, Los Angeles County, against Park Water Company, a corporation, regarding deficient water service conditions in said tract, 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 emergency and deficient water service conditions exist in Tract No. 17442 and surrounding area served by Park Water Company, a corporation, under the jurisdiction of this Commission, south of Compton Boulevard, west of Wilmington Avenue, east of a southerly extension of McKinley Avenue to Greenleaf Drive; therefore,

IT IS HEREBY ORDERED as follows:

1. That Park Water Company shall take immediate steps to remedy and remove the deficient water service conditions complained of and as outlined in the preceding opinion, either by extending its 12-inch pipeline from Tract No. 13798 to Tract No. 15981 and connecting such extension to the water systems in which deficient water service exists, and importing water from its water systems north of

Compton Boulevard, such extension to be effected either through the acquisition of rights of way or easements, by purchase, negotiation or condemnation or by relocation of the proposed 12-inch pipeline extension, or by any other means.

- 2. That defendant shall file by telegram to the Commission within one week after the effective date of this order, and weekly thereafter in writing, a report of its progress in complying with the provisions of this order until the conditions complained of have been relieved and remedied.

The effective date of this order shall be the date hereof.

Dated at Los Angeles, California, this 1st day of November, 1953.

A. F. Anderson  
 President

James J. Casper

Samuel P. Lott

John E. McCall

Deane Deacons  
 Commissioners