

ORIGINALDecision No. 49413

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Petition of)
 LUKINS BROTHERS WATER COMPANY, and)
 GLENN J. LUKINS and MELVIN L.)
 LUKINS, owners of said Lukins)
 Brothers Water Company.)

Application No. 34677

Russell F. Milham, for applicants.
W. Ben Stradley, for the Commission staff.

O P I N I O N

Applicants, Glenn J. Lukins and Melvin L. Lukins doing business as Lukins Brothers Water Company, seek a certificate of public convenience and necessity to operate a public utility water system in Lukins Tract and Lukins Tract Addition No. 1, subdivisions totaling approximately 161 lots located in the County of El Dorado.

A public hearing was held, after due notice, at Placerville on November 13, 1953, before Examiner Daly. No appearance was made in protest to the authority sought.

The property which applicants propose to serve is more specifically set forth in a map attached to the application as Exhibit "A". Initially it is expected that service will be provided to about 20 consumers. The area considered is being primarily developed for seasonal cabin sites. Water is to be furnished through the facilities of two existing wells which serve each of the lots through the extension of 4,326 feet of 4-inch main. Future needs of the development would be augmented through the use of a proposed well, which when completed is expected to produce about 2,000 gallons of water per minute. According to applicants' testimony, the cost of the presently installed system was \$16,187, and the

estimated cost of the proposed well is \$7,000. Applicants have financed the system to date from their own funds. The record shows that applicants have the requisite financial ability to develop the water system as further public need requires.

Applicants propose a summer flat rate and a minimum meter rate charge of \$36, covering the period May 15 to October 15, and the same rates for the seven-month winter season, which covers the balance of the year. An annual minimum charge for metered service of \$72, payable before June 1 of each year is also proposed. Monthly metered quantity rates requested for both seasonal and annual metered service are as follows:

First 1,000 cu.ft. or less per month,		
included in minimum charge.		
Next 1,000 cu.ft., per 100 cu.ft.	.....	\$0.25
Next 2,000 cu.ft., per 100 cu.ft.	.....	.20
Next 4,000 cu.ft., per 100 cu.ft.	.....	.175

A test of the water made by the State Department of Public Health on July 15, 1953 indicated the water to be pure and suitable for domestic use. The record establishes that the necessary county permit to use public streets and roads in the proposed area has been obtained.

After consideration of the evidence the Commission is of the opinion that the certificate should be granted. The general level of rates proposed by applicants compare favorably with those of other water utilities serving in the Tahoe area and will be adopted in the order which follows, except that the rates for customers taking service all year will be reduced consistent with such service. The rates set forth in Appendix A are hereby found to be reasonable and will be authorized.

While the utility is responsible for furnishing and installing a service connection from its water main to the curb line or property line of a consumer's premises, it is not the utility's

responsibility to extend the service line therefrom to a consumer's residence or cabin site. Therefore, the \$5 charge proposed by applicants for this service will not be authorized.

The certificate of public convenience and necessity issued herein is 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.

O R D E R

The above-entitled application having been considered, 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 will require the construction and operation of a public utility water system by applicants in the area set forth on a map marked as Exhibit "A" in this proceeding; therefore,

IT IS ORDERED:

1. That a certificate of public convenience and necessity is hereby granted to Glenn J. Lukins and Melvin L. Lukins, doing business as Lukins Brothers Water Company, to construct and operate a public utility water system for the distribution and sale of water within the territory hereinbefore described.

2. That applicants shall:

- a. File the rates set forth in Appendix A, a copy of which is attached to this order, to be effective on or before the date service is rendered to the public, together with rules and regulations and tariff service area map acceptable to this Commission and in accordance with the requirements of General Order No. 96.

- b. Notify this Commission in writing of the completion of the system for which this certificate is granted, within thirty days thereafter.
- c. File within forty days after the system is placed in operation four copies of a comprehensive map, drawn to an indicated scale not smaller than 50 feet to the inch, delineating by appropriate markings the various tracts of land and territory served and the location of the various properties of applicant.

The authorization herein granted will lapse if not exercised within one year from the date hereof.

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

Dated at San Francisco, California, this 8th day of December, 1953.

A. J. [Signature]
President

James J. [Signature]

Wenatche [Signature]

John L. [Signature]

Gene [Signature]
Commissioners

APPENDIX A
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Schedule No. 1

SEASONAL METERED SERVICE

APPLICABILITY

Applicable to all seasonal metered water service.

TERRITORY

In the unincorporated areas known as Lukins Tract and Lukins Tract Addition No. 1, Tahoe Valley, El Dorado County.

RATES

	<u>Per 5/8 x 3/4-inch Meter per Season</u>
Seasonal Minimum Charges:	
Summer Season:	
For five-month period May 16 to October 15, inclusive	\$36.00
Winter Season:	
For seven-month period October 16 to May 15, inclusive	36.00
Monthly Quantity Rates:	<u>Per Meter Per Month</u>
First 1,000 cu.ft. or less per month, included in Seasonal Minimum Charge.	
Next 1,000 cu.ft., per 100 cu.ft.	\$ 0.25
Next 2,000 cu.ft., per 100 cu.ft. ....	.20
Over 4,000 cu.ft., per 100 cu.ft. ....	.175

SPECIAL CONDITIONS

1. Consumers may take service under this schedule for either the summer season or the winter season, or for both seasons.
2. The summer and winter seasonal minimum charges are payable in advance on or before May 16 and October 16, respectively.
3. When the seasonal charge is paid in advance, charges for water used in excess of the monthly allowance under the seasonal minimum charge may be billed monthly, bimonthly, or seasonally at the option of the utility on a noncumulative monthly consumption basis.

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Schedule No. 2

ANNUAL METERED SERVICE

APPLICABILITY

Applicable to all annual metered water service.

TERRITORY

In the unincorporated areas known as Lukins Tract and Lukins Tract Addition No. 1, Tahoe Valley, El Dorado County.

RATES

	<u>Per 5/8 x 3/4-inch Meter per Year</u>
Annual Minimum Charge:	
For 12-month period commencing January 1	\$66.00
Monthly Quantity Rates:	<u>Per Meter Per Month</u>
First 1,000 cu.ft. or less per month, included in Annual Minimum Charge.	
Next 1,000 cu.ft., per 100 cu.ft.	\$ 0.25
Next 2,000 cu.ft., per 100 cu.ft. ....	.20
Over 4,000 cu.ft., per 100 cu.ft. ....	.175

SPECIAL CONDITIONS

1. The above annual minimum charge applies to service during the 12-month period commencing January 1 and is due in advance.
2. When the annual minimum charge is paid annually in advance, charges for water used in excess of the monthly allowance under the annual minimum charge may be billed monthly, bimonthly, or quarterly at the option of the utility on a noncumulative monthly consumption basis.

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Schedule No. 3

SEASONAL FLAT RATE SERVICE

APPLICABILITY

Applicable to all water service rendered seasonally on a flat rate basis.

TERRITORY

In the unincorporated areas known as Lukins Tract and Lukins Tract Addition No. 1, Tahoe Valley, El Dorado County.

RATES

Per 1-inch
Service Connection
Per Season

Summer Seasonal Charge:

Summer Season

For the five-month period May 16
to October 15, inclusive \$36.00

Winter Seasonal Charge:

Winter Season

For the seven-month period October 16
to May 15, inclusive 36.00

SPECIAL CONDITIONS

1. Consumers may take service under this schedule for either the summer season or the winter season, or for both seasons.
2. The summer and winter seasonal flat rate charges are payable in advance on or before May 16 and October 16, respectively.
3. Meters may be installed at option of utility or consumer for above classification in which event service thereafter will be rendered only on the basis of Schedule No. 1, Seasonal Metered Service.

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Schedule No. 4

ANNUAL FLAT RATE SERVICE

APPLICABILITY

Applicable to all water service rendered annually on a flat rate basis.

TERRITORY

In the unincorporated areas known as Lukins Tract and Lukins Tract Addition No. 1, Tahoe Valley, El Dorado County.

RATES

Per 1-inch
Service Connection
Per Year

For 12-month period commencing January 1 \$66.00

SPECIAL CONDITIONS

1. The above annual flat rate charge applies to service during the 12-month period commencing January 1, and is due in advance.
2. Meters may be installed at option of utility or consumer for above classification in which event service thereafter will be rendered only on the basis of Schedule No. 2, Annual Metered Service.