

ORIGINAL

Decision No. 49414

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of BEN ALI WATER COMPANY,)
 a California Corporation, for a)
 Certificate that the present or)
 future public convenience or neces-)
 sity will require an extension of the)
 Company's Certificated Area, pursuant)
 to Section 50(a) of the Public Utili-)
 ties Act of the State of California.)

Application No. 34757

Gail Bash, for applicant.
W. Ben Stradley, for the Commission
 staff.

O P I N I O N

Ben Ali Water Company seeks authority to extend its public utility water system to Laurelhurst Subdivision in Sacramento County.

A public hearing was held, after due notice, at Sacramento on November 12, 1953 before Examiner Daly. No appearance was made in protest to the authority sought.

The property which applicant proposes to serve is more specifically described as Lot 36 of Citrus Heights Addition No. 16. Service in this area, which was initiated in 1950, is at present furnished to twenty-four consumers.

The system, as presently installed, consists of the following items:

1,760 lineal feet - 4-inch D/W 12-gauge steel water pipe
 408 lineal feet - 2-inch galvanized water pipe
 156 lineal feet - 1½-inch galvanized water pipe
 Two 4- by 2½-inch wharf-type hydrants
 One 10-hp deep-well Worthington pump
 One 1,000-gallon hydropneumatic tank
 One 10-inch open bottom well, 160 feet in depth, cased
 135 feet with double red-hard 12-gauge steel well
 casing.
 Miscellaneous valves and fittings

The cost of installing the above-described facilities was stated to have been \$5,294.06.

Applicant is presently furnishing water service in a total area comprising about 20 square miles in the unincorporated area situated northeasterly of the City of Sacramento. All of said area is covered by certificates of public convenience and necessity except Laurelhurst Subdivision which is requested to be certificated by the application herein.

The delivery and sale of water in said Laurelhurst Subdivision by Ben Ali Water Company was discussed briefly in the opinion of the Commission's Decision No. 48669, dated June 1, 1953, in Application No. 33844, which states the following:

"With respect to serving Laurelhurst, applicant should either dispose of the property or apply for the required certificate."

The application filed herein constitutes compliance with the above admonition.

The record indicates that applicant possesses the necessary county franchise to use public streets and roads. Applicant asserts that the rates, rules and regulations which it presently has on file with the Commission are to be applied to all services rendered within the proposed area.

After consideration of the evidence, the Commission is of the opinion and so finds that public convenience and necessity require the granting of the authority sought.

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 heard, the matter having been submitted and now being ready for decision,

IT IS HEREBY FOUND AS A FACT that public convenience and necessity require the operation of a public utility water system by Ben Ali Water Company, a corporation, in the unincorporated area in Sacramento County, California, set forth on a map marked Exhibit A in this proceeding; therefore,

IT IS HEREBY ORDERED:

1. That a certificate of public convenience and necessity is granted to Ben Ali Water Company to furnish water service as a public utility in the territory hereinabove described.
2. That applicant is authorized to apply its presently filed rates for water service in the area certificated by this order.
3. That applicant 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 400 feet to the inch, delineating by appropriate markings the various tracts of land and territory served and the location of various properties of applicant for which this certificate is herein granted.
4. That applicant shall refile within thirty days after the effective date of this order, in accordance with the requirements of General Order No. 96, its tariff sheet entitled "Preliminary

Statement", to more accurately describe the entire area in which water service is being furnished.

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.

[Signature]
President
Justin J. Caldwell
Kenneth Patten
John E. McMillan
Gene Deagan
Commissioners