

ORIGINALDecision No. 49980

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 PEERLESS LAND & WATER CO., a California)
 Corporation, of Bellflower, California,)
 for Certificate of Public Convenience)
 and Necessity to construct, operate and) Application No. 35036
 maintain a water system in unincorpor-) (Amended)
 ated city of Bellflower, Los Angeles)
 County, under Section #1001 of the)
 Public Utilities Code.)

C. L. and Sarah G. Zastrow, for applicant.

W. S. Cook, for Park Water Company, protestant.

James F. Wilson and Robert M. Mann, for the
 Commission staff.

O P I N I O N

Peerless Land & Water Company,^{1/} a corporation, by the above-entitled application filed January 8, 1954, as amended March 17, 1954, seeks a certificate of public convenience and necessity to construct and operate a public utility water system and to extend its water system in areas shown on the map, Exhibit A, attached to the application as Parcels 1, 4 and 5. The application was amended at the hearing to exclude about three-fourths of the area shown in light green as Parcel 5 on said Exhibit A.

A public hearing in this matter was held before Examiner Warner on April 6, 1954 at Los Angeles. Park Water Company,^{2/} a public utility water company, furnishing water service in areas adjacent to applicant's presently certificated area and to the proposed areas protested the granting of the application with respect to the portion of Parcel 5 at the southeast corner of Foster Road and Bellflower

^{1/} Hereinafter referred to as applicant.

^{2/} Hereinafter referred to as Park.

Boulevard as shown on Exhibit 4 filed at the hearing.

General Information

Applicant is furnishing public utility water service in two separate, nonconnected areas in accordance with certificates of public convenience and necessity granted by Decision No. 34063, dated April 1, 1941, in Application No. 23798, and Decision No. 34694, dated October 28, 1941, in Application No. 24294. The area covered by Decision No. 34063 comprises approximately 160 acres and is in the vicinity of Bellflower and Compton Boulevards. The area covered by Decision No. 34694 is in the vicinity of Lakewood Boulevard and Flower Street. Each of the areas is in unincorporated territory, Los Angeles County, in the vicinity of Bellflower. Water service is now being furnished to approximately 750 domestic customers.

Application for a Certificate covering Parcel No. 4,
including Tract No. 18934

Applicant proposes to furnish water service to 229 lots in Tract No. 18934 in Parcel No. 4 from present pumping plant facilities installed and serving its present water system in Parcels Nos. 2 and 3 on Exhibit A of the application. The presently installed pumping plant facilities have a production capacity of 266 gallons per minute and are serving 168 consumers. The wells have maximum capacities of a total of 750 gallons per minute. Applicant proposes to drill a well on a lot owned by it on Glandon Street between Charlemain and Blaine Avenues in Tract No. 19281, designated on Exhibit A and included in Parcel No. 4. Tract No. 18934 is immediately contiguous to applicant's presently certificated area northwest of Ardis Avenue between Heiner Street and Maplewood Avenue.

Application for a Certificate
Covering Parcel No. 1

Applicant's presently certificated area designated as Parcel No. 1 in the vicinity of Flower Street and Lakewood Boulevard

as shown on Exhibit A is supplied with water from two wells owned by applicant with a total installed pumping plant production capacity of 300 gallons per minute, and total maximum capacity of 1,050 gallons per minute. These wells are presently furnishing water service to 323 consumers, 20 of which are in the area requested to be certificated north of Jackson Street, and 19 lots with houses under construction in Tract No. 16993, which is also requested to be certificated, south of Patrick Street.

Application for a Certificate
Covering Parcel No. 5 as Amended

Parcel No. 5 includes Tract No. 19596, consisting of 104 lots at the southwest corner of Bellflower Boulevard and Foster Road, plus a vacant area between Arthurdale Street and Foster Road and Bellflower Boulevard and Dunrobin Avenue, as shown on Exhibit No. 4. Exhibit No. 7 is a request from the subdivider of Tract No. 19596 for water service and it appears that a total of approximately 300 homes will be built in the requested area. Applicant's witness testified that it would be more economical to operate a water system, covering the entire area comprising the anticipated 300 homes, than a smaller one.

Conclusion

From a review of the record it appears that applicant's presently installed water system, together with its proposals for augmenting its water supply in the requested areas, is adequate to serve such areas. It further appears that with respect to applicant's requested certificate covering Parcel No. 5 and Park's protest thereto that applicant would require the largest possible area and the greatest number of consumers in order to operate its proposed water system in Parcel No. 5 economically.

The Commission has considered the application of Peerless Land & Water Co. for a certificate of public convenience and necessity covering Parcels Nos. 1, 4 and 5 (as amended) 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 amended having been filed and having been further amended at the hearing, 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 Peerless Land & Water Co., a corporation, be granted a certificate of public convenience and necessity to construct and operate a public utility water system in the areas shown on Exhibit 4 filed at the hearing; therefore,

IT IS HEREBY ORDERED as follows:

1. That a certificate of public convenience and necessity be and it is granted to applicant covering the territory hereinabove described.
2. That applicant be and it is authorized to apply its presently filed rates for water service to the areas certificated by this order.
3. That applicant shall refile within thirty days after the effective date of this order, in conformity with the provisions of General Order No. 96, its presently filed tariff schedules, including the tariff service area map, to provide for the application of said tariff schedules for water service in the areas certificated by this order.

- 4. 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 300 feet to the inch, delineating by appropriate markings the various tracts of land and territory served; the principal water production, storage and distribution facilities; and the location of various properties of applicant.

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

Dated at San Francisco, California, this 27th day of April, 1954.

A. T. Anderson
President
James F. Cressel
Bernette Pottel
John W. Beld
Gene Rogers
Commissioners