

ORIGINAL

Decision No. 57190

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
TOPPER ESTATES WATER COMPANY, a
California corporation, for a
certificate of public convenience
and necessity to operate a public
utility water system and to establish
rates for water service in an unin-
corporated area south of Hanford,
California, known as Tract No. 132,
under Sect. 1001 of the Public
Utilities Code, and to issue stock.

Application No. 40101

James R. Dilling and Dan Clardy, for
applicant.
George M. Minturn, city manager, for
the City of Hanford, protestant.
W. B. Stradley, for the Commission staff.

O P I N I O N

This application was filed on May 21, 1958. Public hearing was held at Hanford before Examiner John Power, on July 15, 1958 and the matter was submitted.

Topper Estates tract is located about one-half mile south of Hanford. It is described as the N½ of the NW½ of the SW½ of Section 1, Township 19 South, Range 21 East, Mt. Diablo Base and Meridian. The tract is numbered 132, Kings County. It eventually will be subdivided into 98 building lots (96 if the sought certificate is granted).

The nearest privately owned public utility water system is seven miles away. However, the City of Hanford has a 6" line on Jones Street which extends to within ten feet of the northerly

line of Topper Estates tract. The Hanford system was subject to regulation by this Commission as the Hanford District of California Water Service Company until January 9, 1958^{1/} when it was acquired by the city. The city adopted company rates, rules and regulations with one exception. The exception was removed on April 28, 1958. Since the last date, rates, rules and regulations have been the same as those of the city's utility predecessor. All of them were either permitted or required by this Commission during the period of regulation and therefore have been found by us to be reasonable.

In its statement (Exhibit No. 10) in this proceeding the protestant city made an offer to serve this tract. Such a service would make available to consumers an urban type of water service with numerous wells, (16 at the time regulation stopped) a large storage capacity, full time manager and staff.

A one-well, one-pressure tank system such as proposed by applicant cannot hope to duplicate the service that could be rendered by the city.

Under the circumstances, the Commission cannot find that public convenience and necessity require the proposed service. The application will be denied.

^{1/} Exhibit No. 10, statement of the City of Hanford.

ORDER

Public hearing having been held and based upon the evidence adduced therein and the application on file,

IT IS ORDERED that Application No. 40101 be, and it is, denied.

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

Dated at San Francisco, California, this 19th day of August, 1958.

[Signature]
 President

[Signature]

[Signature]

[Signature]
 Commissioners

Commissioner Ray E. Untereiner being necessarily absent, did not participate in the disposition of this proceeding.