

ORIGINAL

Decision No. 57705

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
PACIFIC WATER CO., a California)
corporation, to abandon service on)
concrete pipeline to its Morongo)
Water System.)

Application No. 40260

Moss, Lyon & Dunn, by George C. Lyon, attorney, for applicant.

Carl M. Mires, in propria persons, protestant.

Cyril M. Saroyan, John R. Gillanders, and Albert L. Gielegem, for the Commission staff.

O P I N I O N

Pacific Water Co., by the above-entitled application filed July 16, 1958, seeks authority to abandon service to Carl M. Mires, other than to make available to him water from a hydrant for domestic use and hauled by him under Schedule No. MV-2.

Public hearings were held before Examiner Stewart C. Warner on October 29 and 30, 1958, at Morongo. The matter was consolidated for hearing with Application No. 39067 of Pacific Water Co., to increase its rates for water service in Morongo Valley. The customer Mires protested the instant application.

Applicant furnishes water service to approximately 350 customers in its Morongo Valley district in unincorporated territory of San Bernardino, north and south of 29 Palms Highway about 7½ miles northwest of Desert Hot Springs, in Sections 14, 20,

23, 28, 29, 32, and 33, Township 1 South, Range 4 East, S.B.B. & M., in the area shown on the map, Chart 3-B, of Exhibit No. 4. Applicant is the successor to Desert Water Co., which in 1947 acquired the water system properties of Morongo Valley Mutual Water Company, a mutual water company. Included in said acquisition was a system of cement irrigation pipe lines, and a portion of said cement irrigation pipe-lines system consists of 8-inch concrete pipe, which extends east and west along the center line of the NW $\frac{1}{4}$ of Section 28, 2,640 feet, and approximately 1,000 feet south from the center of said NW $\frac{1}{4}$ of Section 28, all as shown on the map, Exhibit A, attached to the application. Said concrete pipe line ties into a 2-inch steel main of applicant at its westerly extremity and into a 4-inch steel main of applicant at its southerly extremity. It was installed in either the year 1915 or 1916. Its purpose has been, among other things, to furnish water service to the properties acquired in the year 1955, and owned by Carl M. Mires, comprising 10 acres located in the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 28.

The record shows that the inside diameter of the 8-inch concrete pipe line has been reduced to one inch by calcium magnesium precipitate; that the pipe line is porous and perforated; that, in many places, it is blocked; that at the present time no water is being, or can be, delivered to the Mires property through it; that Mires has never withdrawn his application to Pacific for domestic water service, and still requests such service; that applicant furnished temporary hauled-water service to Mires for

three weeks in July 1958; that applicant considers such hauled-water service to be uneconomical to it; and that the Mires property is wholly within applicant's dedicated service area.

Findings and Conclusions

It is evident from the record, and we hereby find, that applicant has obligated itself as a public utility to furnish adequate domestic water service to the Mires property, and that such water service should be continued. The fact that the concrete pipe line has not been maintained properly throughout its years, and that it now ceases to function, does not excuse applicant from its domestic water-service obligations within its dedicated service area. The order which follows will provide that the application to abandon the concrete pipe line and to furnish the customer Mires with hauled-water service be denied.

Applicant should take immediate steps to replace the pipe line to serve the Mires property with a pipe line which will furnish the Mires property with water service of adequate supply and at standard operating pressures, and applicant should, within ninety days, so report in writing to the Commission, and the order hereinafter will so provide.

O R D E R

Application as above entitled having been filed, public hearings having been held, the matter having been submitted and now being ready for decision,

IT IS HEREBY ORDERED as follows:

(1) That the application of Pacific Water Co., a corporation, to abandon water service to Carl M. Mires, other than to make

available to him water from a hydrant for domestic use and hauled by the customer under Schedule No. MV-2, be, and it is, denied.

(2) That applicant shall immediately replace the 8-inch concrete pipe line to the property of Carl M. Mires, located in the SW $\frac{1}{2}$ of the NE $\frac{1}{2}$ of the NW $\frac{1}{2}$ of Section 28, Township 1 South, Range 4 East, S.B.B. & M., with a pipe line which will furnish water service to the Mires property of adequate supply and of standard operating pressures.

(3) That applicant shall, within ninety days after the effective date hereof, report to the Commission in writing its compliance with the provisions of this order.

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

Dated at Los Angeles, California, this 9th day of December, 1958.

E. Lynn Fox
President
W. E. ...
Robert ...
...
Thomas H. Jenner
Commissioners