

ORIGINAL

Decision No. 59023

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Roy P. and Beatrice)
 Miller, dba COTTAGE SPRINGS WATER)
 COMPANY, to construct and operate)
 a water system in and adjacent to)
 Cottage Springs Subdivision No. 3,) Application No. 41227
 located approximately 35 miles)
 northeast of Angels Camp, Cala-)
 veras County, California, on State)
 Highway 4; and to establish rates.)

R. William Rollins, for applicants.
W. B. Stradley, for the Commission staff.

O P I N I O N

Roy P. Miller and Beatrice Miller, by application filed June 15, 1959, request an order granting them a certificate of public convenience and necessity to operate a public water system to serve a portion of Section 21, T.6 N., R.16 E., M.D.B.& M., which lies east of State Highway 4 in Calaveras County. The estimated cost of the proposed construction of approximately \$10,800 is to be paid by applicants as a capital outlay in cash. Notice of the application and of the hearing was given to the State Department of Health, the Calaveras County Board of Health, the State Real Estate Commission and to the appropriate county officials.

Public hearing was held in Angels Camp before Examiner Rowe on August 20, 1959, at which time evidence both oral and documentary was adduced and the matter was submitted for decision. No one appeared in protest.

As originally filed the application requested authority to serve several lots not owned by applicants. These lots and

others south of Segale Drive, which were also included, were beyond the territory the water system presently proposed is designed to serve. At the hearing applicants requested and were granted leave to exclude these lots south of Segale Drive from their requested service area.

These excluded lots have no other public utility water service available and may conveniently be served by applicants if requested in the future. As such future extensions might involve boring additional wells and constructing proportionately costly extensions, applicants are unwilling at this time to include such lots in their certificated area. However, they request that they be not restricted from making extensions to serve homes in this territory should the need later develop.

The system proposed consists of a 20,000-gallon capacity storage tank at an elevation of 5,960 feet, an existing well to which will be installed a one-horsepower injector pump with a minimum yield of not less than 10 gallons per minute and approximately 700 feet of 6-inch transmission main, 525 feet of 3-inch main and 1,600 feet of 2-inch main with service connections not smaller than 3/4-inch. It is estimated that a pressure of approximately 30 pounds can thus be obtained.

Applicants have requested authority to deviate from General Order No. 103 by installing two pipelines, each two inches in diameter, which exceed the maximum lengths allowed by the general order. The reason given for this request is that the use of water in the area will be substantially less than in a normal residential subdivision. Under the circumstances, the Commission finds that the request for a deviation to install approximately 650 feet of 2-inch line on Beatrice Drive extending easterly from the southerly

terminus of a proposed 6-inch main is reasonable and should be authorized. However, since the main in Beatrice Drive proposed to extend southwesterly from the said intersection is a branch of the main supply line extending between the tank and well, the requested deviation for this portion of the 2-inch line will be denied.

According to the testimony, the water in the area is potable. The necessary permit from the State Department of Public Health was received July 16, 1959. Also, it was asserted that the Forestry Service has given assurance that permission will be given to place the storage tank in a location considered the most appropriate. The Commission finds that public convenience and necessity require the construction of a public utility water system by applicants, within Cottage Springs Subdivision No. 3 as shown on the map attached to the application. Additional area requested by applicants will not be certificated for the reason that public convenience and necessity has not been shown for such area.

The schedule of proposed rates is found to be just and reasonable. These rates are stated to be upon an annual basis. According to the testimony the charge was estimated and computed upon the assumption that during three or four months of each year service would not be required while State Highway No. 4 is closed due to snow conditions. It appears therefore that these rates, with slight modifications, should be stated as seasonal charges.

The certificate of public convenience and necessity to be 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

Public hearing having been held herein and the Commission being fully advised and basing its order upon the findings and conclusions contained in the foregoing opinion,

IT IS ORDERED that:

1. A certificate of public convenience and necessity is granted to Roy P. Miller and Beatrice Miller to construct and operate a public utility water system for the sale and distribution of water within Cottage Springs Subdivision Number 3, as shown in Exhibit A attached to the application, lying easterly of State Highway No. 4, being a portion of Section 21, T.6 N., R.16 E., M.D.B. & M. in the County of Calaveras, State of California.

2. Applicants are authorized to file the rates set forth in Appendix A attached to this order, to be effective on or before the day service is first rendered to the public under the authority granted herein, together with rules and a tariff service map acceptable to the Commission and in accordance with the requirements of General Order No. 96. Such rates, rules, and tariff service area map shall become effective upon five days' notice to the Commission and to the public after filing as hereinabove provided.

3. Applicants are authorized to deviate from the provisions of Section 111.2.a. of General Order No. 103 by installing approximately 650 feet of 2-inch circulating main extending northeasterly from the intersection of the said main with the proposed 6-inch main, as shown on the map attached to the application.

4. Applicants' request for authority to deviate from General Order No. 103 by installing approximately 900 feet of 2-inch main extending southwesterly from the proposed 6-inch main, shown on the map attached to the application, is hereby denied.

5. Applicants shall notify this Commission, in writing, of the date service is first furnished to the public under the rates and rules authorized herein, within ten days thereafter.

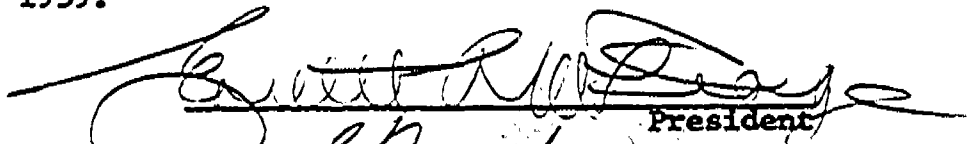
6. Applicants shall file, within forty days after the system is placed in operation under the rates and rules authorized herein, four copies of a comprehensive map, drawn to an indicated scale not smaller than 100 feet to the inch, delineating by appropriate markings the various tracts of land and territory served for which this certificate is issued; the principal water production, storage and distribution facilities; and the location of the various water system properties of applicant.

7. Applicants shall determine the accruals for depreciation by dividing the original cost of the utility plant, less estimated future net salvage, less depreciation reserve, by the estimated remaining life of the plant. Applicants shall review the accruals as of January 1st of the year following the date service is first rendered to the public under the rates and rules authorized herein and thereafter when major changes in utility plant composition occur and at intervals of not more than five years. Results of these reviews shall be submitted to this Commission.


The authorization herein granted will expire if not exercised within one year after the effective date hereof.

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

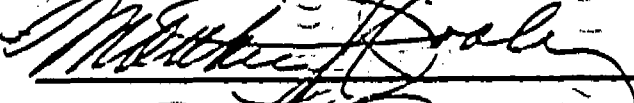
Dated at San Francisco, California, this 22nd day of September, 1959.



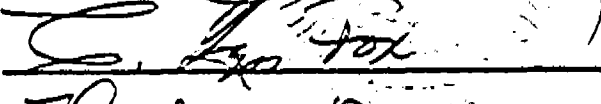
President



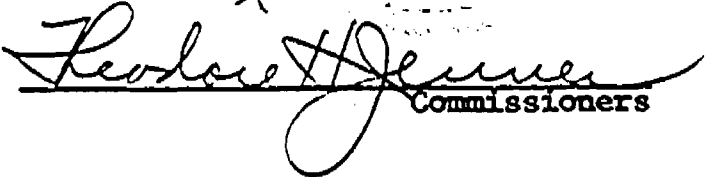
W. L. Battle



Matthew F. Ryan



E. J. Fox



Commissioners

APPENDIX A
Page 1 of 2

Schedule No. 1S

SEASONAL METERED SERVICE

APPLICABILITY

Applicable to all metered water service furnished on a seasonal basis.

TERRITORY

The unincorporated area known as Cottage Springs Subdivision No. 3, and vicinity, located adjacent to State Highway 4 approximately 35 miles east of the Community of Angels Camp, Calaveras County.

RATES

		<u>Per Meter</u> <u>Per Month</u>
Monthly Quantity Rates:		
First	800 cu.ft. or less	\$5.50
Next	2,200 cu.ft., per 100 cu.ft.35
Next	7,000 cu.ft., per 100 cu.ft.25
Over	10,000 cu.ft., per 100 cu.ft.20
Seasonal Minimum Charge:		
		<u>Per Meter</u> <u>Per Season</u>
For the 7-month season		<u>Quantity Allowed</u>
March 1 through September 30:		<u>Per Month For</u> <u>Minimum Charge</u>
For	5/8 x 3/4-inch meter	\$ 38.50 800
For	3/4-inch meter	57.00 1,500
For	1-inch meter	90.00 2,900
For	1 1/2-inch meter	162.00 7,000
For	2-inch meter	204.00 9,300

APPENDIX A
Page 2 of 2

Schedule No. 2S

SEASONAL FLAT RATE SERVICE

APPLICABILITY

Applicable to all flat rate water service furnished on a seasonal basis.

TERRITORY

The unincorporated area known as Cottage Springs Subdivision No. 3, and vicinity, located adjacent to State Highway 4 approximately 35 miles east of the Community of Angels Camp, Calaveras County.

RATES

Per 3/4-inch Service
Connection per Season

Seasonal Charge:

For the 7-month period
March 1 through September 30:

For a single family residence or business establishment	\$40.00
For each additional residence or business establishment on the same premises and served from the same service connection	30.00

SPECIAL CONDITIONS

1. The seasonal flat rate charge applies to service during the 7-month period March 1 through September 30 and is due in advance.
2. All service not covered by the above classification will be furnished only on a metered basis.
3. Meters may be installed at option of utility only for above classifications in which event service thereafter will be furnished only on the basis of Schedule No. 1S, Seasonal Metered Service.