

November 16, 1959, the applicant failed to appear at the time and place set for hearing and the matter was taken off calendar. The matter was subsequently reopened and a public hearing was held in Artesia on December 21, 1959, before Examiner Kent C. Rogers. Evidence was presented and the matter was submitted.

Applicant testified generally that the reasons for the request are the reasons set forth in detail in his petition for modification, namely, that the mains on 166th Street and Elaine Avenue are not necessary because a proposed subdivision east of Elaine Avenue did not develop; that at the time of the above said decision, applicant had no well in the area and was buying its water from Park Water Company, whereas at the time of the hearing herein, applicant had a 12-inch well 200 feet deep producing 500 gallons of water per minute and discharging into an 83,000-gallon storage tank and a 2,000-gallon pressure tank; that the Los Angeles County Flood Control Department is placing a storm drain down Elaine Avenue and does not want a water line there; that a portion of applicant's proposed service area along the north side of 170th Street, the only side with houses, is being purchased for a freeway; that Elaine Avenue is not graded or paved and is not being used; that applicant has installed an 8-inch line on 166th Street on the south side from Clarkdale Avenue to Pioneer Boulevard and the three users on the south side of 166th Street are now connected to this main; and that applicant is serving users on 166th Street between Clarkdale and Elaine Avenues through a 2-inch main and that this line has proven sufficient and satisfactory for the water users in the area.

A Public Utilities Commission engineer was present but presented no evidence in opposition to the application. An Assistant Chief of the Los Angeles County Fire Department protested the reduction of the requirements stating that the fire department

was interested from the fire protection angle; that the City of Artesia is graded for fire insurance purposes; that the area involved in the application is penalized from a fire insurance angle; and that the system as installed is not adequate.

Neither fire hydrant nor fire protection services are presently offered by this utility as is evidenced by an examination of its filed tariff schedules. Should additional facilities be required to furnish fire protection service, the terms for the installation of such facilities should be arranged between the parties, giving consideration to appropriate remuneration to the utility for its participation in the costs of installation and operation. In the event that such service is to be furnished by the utility, the rates therefor together with a showing of justification should be properly filed with this Commission in accordance with the procedure prescribed by General Order No. 96. Any special agreement believed necessary to be entered into for the installation of special facilities for fire protection service in excess of that to be available from the normal operation of the system for domestic service is required to be first authorized by the Commission before it may be made effective.

The record herein shows that there is reasonable cause for the deletion of the requirement for the installation of the mains on 166th Street and on Elaine Avenue, and Decision No. 53568 will be modified by striking therefrom ordering paragraph 5. The record shows that the domestic water service is adequate; and the water pressures and quantity of water delivered are sufficient to meet the existing requirements. When and if new consumers are added and the water mains become inadequate to meet the demand, the applicant should enlarge its mains accordingly.

O R D E R

An application having been filed, a public hearing having been held thereon, and the Commission having found that ordering paragraph 5 of Decision No. 53568 should be stricken, based on said finding,

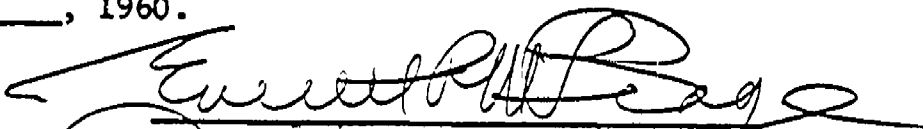
IT IS ORDERED that:

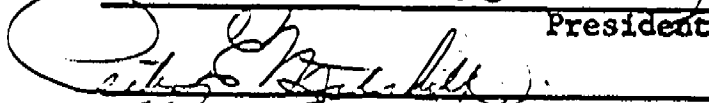
1. Ordering paragraph 5 of Decision No. 53568, dated August 7, 1956, in Application No. 37768, be and it hereby is stricken from said decision.

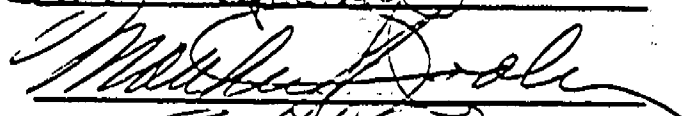
2. Except as modified, and as subsequently modified by this Commission, Decision No. 53568 shall remain in full force and effect.

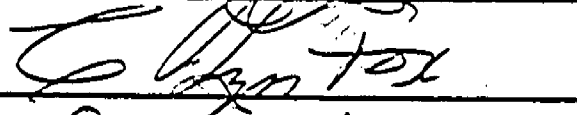
The effective date of this order shall be twenty days after the date hereof.

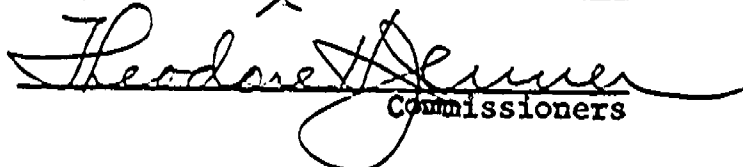
Dated at San Francisco, California, this 1st day of February, 1960.



President








Commissioners