

Decision No. 59888

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Elmer January, doing business as January Water Co., to operate a water system in the County of Tulare, State of California, and to establish rates.

Application No. 41855

Elmer January, applicant.

W. Ben Stradley, for the Commission staff.

O P I N I O N

By this application, filed January 15, 1960, Elmer January (January Water Co.) seeks a certificate of public convenience and necessity to construct, maintain and operate a public utility water system in Tulare County.

After due notice, public hearing in the matter was held before Examiner F. Everett Emerson on March 1, 1960 at Visalia. The matter was submitted on such date and is now ready for decision.

The area in which Mr. January intends to operate his water system and for which he seeks certification consists of the westerly twenty acres of the Southwest Quarter of the Southwest Quarter of Section 3 of T20S, R25E, M.D.B.&M. Within this 20-acre area lies Tract No. 281, consisting of ten lots which are piped and ready for water service from applicant.

Applicant's initial water system consists of a 12-inch well, 103 feet deep, a pumping plant consisting of a turbine pump driven by a 5-hp electric motor, a 1000-gallon pressure tank, and approximately 1100 feet of 4-inch pipe. In addition to the ten lots

in Tract No. 281, applicant would also serve a residence and a store located on a presently unsubdivided portion of the 20-acre parcel. The system is fully paid for and is reported to have cost approximately \$3,100. It is anticipated that the system will be expanded so as to serve a total of about 40 water users during the next five-year period.

Applicant proposes to charge a flat rate of \$4 per month for each water connection. Such rate, the evidence indicates, is common to this portion of Tulare County and in the opinion of the owner will adequately provide for the operation and maintenance of the system. The owner's father, a resident of the tract, will generally oversee operations and handle billing and collecting for water service.

Based upon the evidence, the Commission finds as a fact that public convenience and necessity require and will require that the hereinabove described area be provided water service by Elmer January. The Commission further finds that the rate proposed to be charged for water service is fair and reasonable and should be authorized; however, a corresponding metered-service rate will also be authorized so that it may be applied should future conditions warrant its use.

Applicant requires a permit from the Public Health Department of Tulare County. Such permit had not been received by the date of hearing in this matter. Applicant testified that he had applied for this permit. ✓

The certificate hereinafter granted is subject to the following provision of law: ✓

That the Commission shall have no power to authorize the capitalization of the certificate of public convenience and necessity issued herein ✓

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 a consideration for the grant of such certificate of public convenience and necessity or right.

O R D E R

Based upon the evidence and the findings and conclusions stated in the foregoing opinion,

IT IS ORDERED as follows:

1. Elmer January (January Water Co.) is hereby granted a certificate of public convenience and necessity to construct, operate and maintain a public utility water system in the westerly 20 acres of the Southwest Quarter of the Southwest Quarter of Section 3, T20S, R25E, M.D.B.&M., including therein Tract No. 281, Tulare County.

2. Elmer January is authorized to file in quadruplicate with this Commission, on or after the effective date of this order and in conformance with the provisions of General Order No. 96, the schedules of rates set forth in Appendix A attached to this order, to be effective on or before the date service is first furnished to the public under the authority herein granted, together with rules and tariff service area map acceptable to this Commission. Such rates, rules and map shall become effective upon five days' notice to the Commission and to the public after filing as hereinabove provided.

3. Applicant 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.

4. Within ninety days after the system is placed in operation, Elmer January shall file with this Commission four copies of a comprehensive map, drawn to an indicated scale not smaller than 200 feet to the inch, delineating by appropriate markings the various tracts of land and territory served, the principal water production, storage and distribution system facilities, and the location of the various public utility properties of applicant.

The authorization herein granted will lapse if not exercised within one year from the date hereof.

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

Dated at San Francisco, California, this 5th day of April, 1960.

Ernest A. DeLoach
President

W. L. ...

W. ...

E. ...

Theodore T. Jenner
Commissioners

APPENDIX A
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Schedule No. 1

GENERAL METERED SERVICE

APPLICABILITY

Applicable to all metered water service.

TERRITORY

The unincorporated area including Tract No. 281 and vicinity adjacent to the intersection of the Tulare-Lindsay Highway and Road 140, approximately 5 miles east of the City of Tulare, Tulare County.

RATES

Per Meter
Per Month

Quantity Rates:

First 800 cu.ft. or less	\$ 3.50
Next 1,700 cu.ft., per 100 cu.ft.20
Over 2,500 cu.ft., per 100 cu.ft.15

Minimum Charges:

For 5/8 x 3/4-inch meter	\$ 3.50
For 3/4-inch meter	4.25
For 1-inch meter	6.50
For 1 1/2-inch meter	11.00
For 2-inch meter	16.00

The Minimum Charge will entitle the customer to the quantity of water which that minimum charge will purchase at the Quantity Rates.

Schedule No. 2

GENERAL FLAT RATE SERVICE

APPLICABILITY

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

TERRITORY

The unincorporated area including Tract No. 281 and vicinity, adjacent to the intersection of the Tulare-Lindsay Highway and Road 140, approximately 5 miles east of the City of Tulare, Tulare County.

RATE

Per Service Connection
Per Month

For a single family residence or a business establishment, including premises consisting of one subdivision lot	\$ 4.00
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SPECIAL CONDITIONS

1. The above flat rate applies to service connections not larger than one inch in diameter.
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 or customer for above classification in which event service thereafter will be furnished only on the basis of Schedule No. 1, General Metered Service.