

ORIGINAL

Decision No. 51110

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

SLIDE INN IMPROVEMENT ASSOCIATION,)

Complainant,)

vs.)

Case No. 5801

J. R. MILLS and GWENDOLYN MILLS,)

Defendants.)

Appearances:¹Lucien Berthier and Walter A. Zipser,
for complainant.Eardin and Gorgas, by E. L. Gorgas, for
defendants.James P. Anderson, for State Department
of Public Health, interested party.Hugh N. Orr, for the Commission staff.SECOND SUPPLEMENTAL OPINION AND ORDER

The above-entitled case was reopened for further hearing by the Commission's order dated April 26, 1960, for the purpose of determining, among other things, the extent to which defendants have complied with the Commission's orders contained in its Decisions Nos. 55597, 57818 and 59185 previously issued in this complaint.

A further public hearing was held before Examiner E. Ronald Foster at Sonora on October 5, 1960, at the conclusion of which the matter was resubmitted.

Paragraph 1.a of Decision No. 59185, issued October 20, 1959, ordered defendants, doing business as Slide Inn Water Company, not to extend water service to any consumer not served by them on or before July 30, 1959 without further order of this Commission.

¹ At the hearing on October 5, 1960.

Defendants claim that no additional service connections have been made, although a house is now being constructed in about the middle of the service area, the owner of which will want water service from defendants' system.

Defendant J. R. Mills testified that he is also negotiating actively for the sale of three acres in the extreme northwest corner of the service area, to which no part of the existing water system extends and which is at an elevation higher than the existing storage tanks. To provide water service to these three acres will require the installation of a booster pump, another storage tank at a higher elevation and the necessary distribution and other piping. Certain conditions pertaining to the sale are contingent upon the ability of defendants to provide adequate water service. Therefore, defendants are anxious to have the presently imposed restriction against extension of water service removed as soon as possible.

An engineer of the Commission staff presented a report received as Exhibit No. 31, setting forth the results of his investigation of defendants' water system. The report contains a tabulated summary of the status of defendants' compliance with the Commission's orders. With respect to the two earlier decisions and also the latest decision, No. 59185, the record shows that such compliance has been neither timely nor complete. Especially in regard to filing various required reports, defendants have been generally dilatory.

However, certain acts required by the Commission's orders have been performed. In response to ordering paragraph 2.a of Decision No. 59185, during the spring of 1960 defendants placed in service a new 8-inch cased well (No. 4) drilled to a depth of 92 feet and equipped with an electric motor-driven pump which is capable of producing 20 gallons of water per minute. The total available supply

is now 40 gpm, excluding that from the dug well (No. 1) which is subject to contamination and is to be used only under extreme emergency conditions and the supply therefrom must be properly chlorinated. Also, during June, 1960, defendants completed the installation of a 40,000-gallon redwood water storage tank, together with about 450 feet of 4-inch steel pipe to connect it to the distribution system, and also three 2-inch wharf type fire hydrants with 1½-inch fire hose valves. The new storage tank is located in the northwest part of the service area, some 20 feet higher in elevation than the adjacent 10,000-gallon wooden tank which defendants plan to move to some other point in the service area. The available storage on the system now totals 62,000 gallons. All of the subsequent additions and improvements to the water system have been indicated as revisions on the map included as Chart 1-A of the Commission staff's report previously received as Exhibit No. 21 in this proceeding. Defendants are commended for their efforts in thus increasing the supply of water available to their customers.

Nevertheless, the staff's report states that the distribution system still does not meet the requirements of the Commission's General Order No. 103 and that high friction losses caused by the small mains and inadequate looping (resulting in dead ends) may cause pressure problems in certain areas during periods of peak usage. Therefore, the staff engineer recommended that defendants be required to submit a "Master Plan" acceptable to the Commission programming the eventual replacement of undersized mains and the elimination or minimizing of dead ends, before the restriction regarding additional service connections is removed. He further recommended that defendants obtain the services of a duly qualified and registered engineer for this purpose.

The Commission finds and concludes that the public interest requires that defendants submit definite plans for making such additional improvements and modifications of their water system as may be necessary to render reasonably adequate service to their presently connected customers, some 70 in number, before they are permitted to extend their water supply and distribution facilities to serve any new or additional customers. Accordingly, this order will require defendants to submit plans acceptable to the Commission. The Commission may then issue, either with or without further hearing, such further order or orders as it finds to be appropriate.

Therefore, IT IS HEREBY ORDERED as follows:

1. That defendants J. R. Mills and Gwendolyn Mills, doing business as Slide Inn Water Company, within forty-five days after the effective date of this order, shall file with the Commission four copies of a revised and up-to-date 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; the principal water production, storage and distribution facilities; and the location of the various water system properties of defendants.

2. That within seventy-five days after the effective date of this order, said defendants shall submit a written report to this Commission programming the progressive and eventual replacement of undersized mains and the elimination or minimizing of dead ends in the distribution system, based on the minimum requirements of the Commission's General Order No. 103, together with any additions, improvements or modifications to the water supply storage and distribution facilities contemplated to be done prior to December 31, 1961; including, but not limited to, the proposed installation of facilities necessary to extend service to that 3-acre parcel of

land in the northwest corner of the service area, hereinbefore discussed. The said report shall include such details as:

- a. A description, including the size, length or capacity, of each unit of the facilities proposed to be installed.
- b. The estimated installed cost of each such unit of the facilities.
- c. The approximate date on which the installation of each such unit of the facilities will be completed and placed in service.
- d. A general statement as to the ability of defendants to finance the said installation of the several units of such facilities.

3. That the requirements of the ordering paragraphs in Decision No. 59185 shall remain in full force and effect, except to the extent that such requirements may have already been accomplished.

4. That Case No. 5801 is hereby continued pending further appropriate action by this Commission.

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

Dated at San Francisco, California, this 22nd day of November, 1960.

Walter R. Ruge
President
Ed. J. R. Ruge
Walter R. Ruge
E. J. R. Ruge
Theodore J. Ruge
Commissioners