

**ORIGINAL**

Decision No. 51138

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Clarence Ernest Henderson,  
Complainant,

vs.

Highlanders Water Company,  
Defendant.

Case No. 6269

Francis G. Welton for complainant.  
Best, Best & Krieger, attorneys, by James H. Krieger, for defendant.  
Donald B. Steger for the Commission's staff.

OPINION ON FURTHER HEARING

By Decision No. 59203, dated October 27, 1959, in Case No. 6269, the Commission ordered that "defendant refund to the complainant the difference between the sum of \$4,264 and the estimated cost of a 4-inch main as of the date the 12-inch main in Blaine Street was extended west to the complainant's property, less 65 feet, between the place on Blaine Street where the 12-inch main terminated at the time complainant made his original application for services and the point where the present service connection for the Texas Company service station is now installed."

It was further provided that if within sixty days after the effective date of the order the parties could not agree on the amount of refund, the Commission should determine the proper refund and make a final order relative to the complaint.

The parties were unable to agree on the amount of the refund and on October 4, 1960, the Commission made its "Order Setting

"Aside Submission and Reopening for Further Hearing." The further hearing was held in Los Angeles before Examiner Kent C. Rogers on October 24, 1960, evidence was presented and the matter was submitted.

There are in evidence five estimates of the cost of installing a 4-inch main as aforesaid. These estimates vary from \$1,711.25 to \$4,550. The main in place is 12 inches in diameter and extends from the east approximately 50 feet past the connection to the west boundary of the complainant's property. Two of the estimates include the cost of the line to the west boundary of the property to be served, whereas the meter connection is approximately 50 feet east of the west edge of the property. Decision No. 59203, supra, specifically provides that the cost is to be computed to the meter connection point only.

The following estimates were presented by the complainant:

The M. E. Fridrich Company estimated that it could furnish all labor, material, and necessary equipment for the installation of approximately 520 feet of 4½-inch outside diameter pipe at a cost of \$1,955. This estimate does not include the permits and inspection fees, pavement removal and replacement costs, or bonds. It includes the initial 65 feet of pipe which necessarily, under the main extension rule, would be provided by the defendant, and includes approximately 50 feet between the meter connection and the west end of the property line which would not be chargeable to the complainant under the order.

The second estimate furnished by the complainant was by the Hydro Company for a total length of 463 feet. This estimate includes service to approximately the proper point for the meter

connection and the 65 feet of pipe to be furnished by the water company. This estimate is \$2,032.85 as the amount chargeable to complainant.

The defendant furnished two estimates:

Albert A. Webb Associates estimated a total cost of \$3,610.85 for the length of 520 feet, or \$6.944 per foot. If the 65 feet furnished by the water company under its rules and regulations were deducted, together with approximately 50 feet of line to the west of the meter location, or 115 feet less at a total cost of \$798.56, the cost of this installation would be \$2,812.29.

The defendant also obtained a bid from H. M. Robertson Company of Riverside. This bid was for a net sum of \$4,550 excluding the first 65 feet to be paid by the water company but including a line to the west edge of the property, and was at the rate of \$10 per lineal foot.

In addition to these four estimates a staff hydraulic engineer estimated the cost of the work at \$2,454.76 for a total distance of 405 feet which, plus the 65 feet to be paid for by the water company, left a distance of 470 feet of pipe installation. The total cost for the 470 feet was estimated by the engineer to be \$2,848.66.

The complainant's estimates are low and the defendant's estimates are high. In addition, the defendant's estimates disregard the order of the Commission in Decision No. 59203, supra, that the estimate be given of the cost to the point where the present service connection for the Texas Company service station is installed. The staff engineer presented an estimate which complies with the order of the Commission and appears reasonable.

The evidence shows, and we find, that the reasonable cost of the 4-inch main on Blaine Street for service to the property formerly owned by Clarence Ernest Henderson, complainant herein, less 65 feet, is the sum of \$2,454.76, and that complainant, having advanced to defendant the sum of \$4,264 for said installation, is entitled to a refund from the defendant of the sum of \$1,809.24, and it will be so ordered.

ORDER ON FURTHER HEARING

The Commission having found that complainant is entitled to a refund from defendant for money deposited for a main extension in excess of the reasonable cost in the sum of \$1,809.24, and based on said finding,

IT IS ORDERED that defendant pay to the complainant the sum of \$1,809.24, as refund of an excess of individual main extension deposit.

The Secretary of the Commission is directed to cause personal service of this order to be made upon the parties hereto, and this order shall be effective twenty days after the completion of such service upon said parties.

Dated at San Francisco, this 23rd day of November, 1960.

[Signature]  
President  
[Signature]  
[Signature]  
[Signature]  
Commissioners

-4- Commissioner Theodore H. Jennek, being necessarily absent, did not participate in the disposition of this proceeding.