

ORIGINAL

Decision No. 65823

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the Application of the Southern California Water Company for an order (a) granting a certificate of public convenience and necessity to render water service in certain unincorporated territory in Orange County, and (b) to deviate from its Main Extension Rule.

Application No. 45472  
(Filed May 27, 1963)

O'Melveny & Myers, by Donn B. Miller, for applicant.  
Donald B. Steger, for the Commission staff.

O P I N I O N

Southern California Water Company seeks a certificate of public convenience and necessity to extend its water system to and construct and operate a water system in unincorporated territory of Orange County in the area shown in red on the map, Exhibit A, attached to the application. Said area includes, as a portion thereof, Tracts Nos. 4762 and 4926. Authority to deviate from its Main Extension Rule No. 15 is also sought.

Public hearing was held before Examiner Warner on June 24, 1963, in Los Angeles. No protests were entered.

The area covered by the instant application and applicant's present service area in the vicinity covered by certificate of public convenience and necessity granted by Decision No. 64205, dated September 4, 1962, in Application No. 44502, are shown in red and pink, respectively, on Exhibit A.

Tract No. 4926 is located about 1,440 feet west of the northwest corner of Orangethorpe Avenue and Orchard Drive, east of the unincorporated community of Atwood in applicant's Placentia District. Tract No. 4762 is immediately adjacent thereto on the west. Together the two tracts sought to be certificated comprise 85 lots. Exhibit C attached to the application is a copy of a letter from the subdivider requesting applicant to install a domestic water system therein.

Applicant is furnishing water service in Tract No. 4181, the so-called Red Johnson Tract, which comprises 130 lots. Said tract is contiguous to the requested area on the east thereof. The source of water supply to Tract No. 4181 is a well, owned and operated by applicant, with a capacity of 1,000 gallons per minute. It is located in the southwest portion of the tract along Orangethorpe, east of Orchard. Applicant has placed in escrow the purchase of a new well on the east side of Tract No. 4181, north of Orangethorpe, which has a capacity of 750 gallons per minute. The cost of the new well and well site is \$5,500, and of equipment, \$7,000. Exhibit D attached to the application is a plan of the proposed water system installation in Tracts Nos. 4762 and 4926.

The area between Tracts Nos. 4181 and 4962 is vacant and no plans for its development were submitted by applicant.

By Decision No. 65570, dated June 18, 1963, in Case No. 7564, applicant was directed to install booster pumping equipment and other equipment as necessary in its old Atwood system located along Olive Street, north and south thereof, and east and west of Van Buren Street, as shown in pink on Exhibit A. The order

was made as the result of an investigation by the Commission of operating pressures in this area, which were found to be lower than minimum standards.

The deviation from applicant's Rule No. 15 sought herein would provide that applicant bear the \$22,000 cost of 2,900 feet of 10-inch pipeline installation in Orangethorpe Avenue from applicant's existing well in Tract No. 4181 located just east of the intersection of Orangethorpe and Orchard, which is the location of applicant's existing main of adequate size, to the facilities within Tracts Nos. 4762 and 4926.

The record shows that applicant intends to connect its water systems in Tract No. 4181, the Red Johnson Tract, Tracts Nos. 4762 and 4926, with its older system in Atwood, where 125 customers are receiving water service. Eventually, there may be substantial subdivision development in the vicinity of Imperial Highway north of Esperanza Road (an extension of Orangethorpe), and applicant may then acquire a second Metropolitan Water District connection in that area, which will be connected to applicant's present MWD connection in the city of Placentia through the 10-inch main in Orangethorpe.

Applicant proposes to apply its presently filed Placentia tariffs to the tracts covered by the instant application.

The Commission finds that two subdivisions are proposed to be developed by the applicant in the area west of applicant's present Red Johnson Tract on the north side of Orangethorpe Avenue in unincorporated territory of Orange County; that the proposed subdivisions are Tracts Nos. 4762 and 4926 and comprise 85 lots; that the balance of the area sought to be certificated is

vacant with no present plans for development; that applicant's present source of water supply and the additional source proposed to be acquired by applicant are adequate; that the water system proposed to be installed in said tracts is adequate; that applicant proposes to connect such water system to its nearest existing mains of adequate size; that in order to effect such connection and to carry out applicant's plans to improve water service in the Red Johnson Tract and in its older Atwood system, installation of 2,900 feet of 10-inch main in Orangethorpe Avenue is required; that public convenience and necessity require that a certificate of public convenience and necessity be granted to the applicant covering Tracts Nos. 4762 and 4926 as applied for; that there is no showing of public convenience and necessity as to the balance of the area shown in red on Exhibit A sought to be certificated; and that applicant's requested authority to deviate from its Main Extension Rule No. 15 is reasonable.

The Commission concludes therefore that the application should be granted to the extent set forth in the ensuing order.

The certificate hereinafter granted shall be subject to the following provision of law:

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

IT IS ORDERED that:

1. Southern California Water Company is granted a certificate of public convenience and necessity to extend its

water system to and construct and operate a water system in Tracts Nos. 4762 and 4926 in unincorporated territory of Orange County.

2.(a) Applicant shall file a revised tariff service area map of its Placentia tariff area to provide for the application of its present tariff schedules to Tracts Nos. 4762 and 4926, except as hereinafter provided. Such filing shall be in conformity with General Order No. 96-A, and the tariff sheet shall become effective upon the fifth day after having been filed.

(b) Applicant may deviate from its Rule No. 15, C.l.a., to the extent that it is authorized to install at its expense approximately 2,900 feet of 10-inch water main, costing an estimated \$22,000 from its nearest existing main of adequate size to the facilities within Tracts Nos. 4762 and 4926.

3. Except as heretofore provided, the application is denied. Nothing hereinabove set forth shall be construed as a restriction precluding applicant from extending its water system pursuant to the provisions of Section 1001 of the Public Utilities Code.

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

Dated at San Francisco, California, this 10<sup>th</sup> day of AUGUST, 1963.

Shelley W. Burnett  
President

George T. Grover

Fredrick B. Hallock  
Commissioners