

ORIGINAL

Decision No. 65938

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Super-Temp Corporation  
11008 S. Norwalk Blvd.  
Santa Fe Springs, California,

Complainant,

vs.

Suburban Water Systems  
16340 E. Maplegrove Street  
Valinda, California,

Defendant.

Case No. 7628  
(Filed May 15, 1963;  
Answered June 19, 1963)

Gibson, Dunn and Crutcher, by Max Eddy Utt,  
for complainant.  
Walker Hannon, for defendant.

O P I N I O N

Complainant is a manufacturer of pyrolytic graphite with a plant consisting of two large, two smaller, and two research induction heated furnaces<sup>1/</sup> located on 11-3/4 acres of property south of the southeastern corner of Norwalk Boulevard and Lakeland Avenue in the City of Santa Fe Springs. Also located on the property, and north of complainant's plant, is the plant of complainant's Metals Division for the fabrication of tungsten, colombium, and tantalum. Complainant's combined properties are served by defendant through a 1-1/2 inch water meter installed on the south side of Lakeland Avenue east of Norwalk Boulevard.

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<sup>1/</sup> Complainant plans to add another large furnace soon.

The service line in complainant's property is 1-1/2 inches in diameter and, in addition to furnishing water service to the metals' fabrication plant, is used in complainant's graphite plant to furnish domestic water service and also to fill a 2500-gallon sump from which complainant pumps water for use in the plant in connection with the manufacturing processes. Complainant believes that a greater supply of water to the sump is required; that a 6-inch or at the minimum, a 4-inch meter should be installed at the sump and on the graphite plant properties; that a secondary source of supply for emergency purposes would be desirable; that defendant's proposed main extension agreement, copy of which is attached to the complaint, for the installation of approximately 640 feet of 6-inch main requiring an advance of \$6300, is not satisfactory, because Southern California Water Company, with mains in Norwalk Boulevard, directly across the street from defendant, would install the required service, if allowed by the Commission, at no charge for such installation. Complainant requests the Commission to permit Southern California Water Company to serve the emergency line.

Public hearing was held before Examiner Warner on July 23, 1963, at Los Angeles. Southern California Water Company did not appear.

The parties stipulated that all of complainant's properties are within defendant's certificated service area.

The record shows that on November 30, 1962, complainant approached defendant regarding the possibility and cost of providing 6-inch emergency service to its sump;

that defendant advised complainant that it would provide a 6-inch meter at complainant's property line on Lakeland Avenue or would extend a 6-inch pipeline to the sump by the pipeline installation in Norwalk Boulevard at a cost of \$6300 which would be refundable pursuant to a main extension agreement.

Southern California Water Company, in response to a telephone conversation of April 30, 1963 with complainant, advised the latter by letter dated May 2, 1963, copy of which is attached to the complaint, that it would not be willing to apply to this Commission for permission to serve complainant in defendant's certificated area due to the high cost of such an application. It advised further that it would require complainant to disconnect any existing pipeline connection with defendant and install a back flow prevention device adjacent to Southern California's water meter.

Complainant's witness, its operating manager, could not tell the Commission who had planned the original water system installation for the graphite plant, nor could he tell the Commission whether water service availability was considered by complainant in the location of such plant on the same property south of the metals' fabrication plant.

Defendant's operating vice-president, testified that in his opinion complainant could advantageously and economically increase the capacity of its sump two- or threefold, and that by increasing the size of the service main on its property, complainant could increase the flow through the 1-1/2-inch meter from its present flow of approximately 75 gallons per minute to

at least 120 gallons per minute, and that this would provide complainant with more than sufficient water supply for all of its operations.

Defendant's witness further testified that it was ready, willing and able to meet any of complainant's water service requirements pursuant to its filed tariffs.

Many such bordering certificated area boundary line conditions, not only involving public utility water companies but also involving public utility gas, electric, and telephone companies come to the Commission's attention from time to time. Where no unreasonableness in service or rates is shown, historically and lawfully established boundaries should be respected and one utility should not be permitted to invade the certificated area of another.

#### Findings

Upon consideration of the record we find as follows:

1. The facts set forth in the complaint, as outlined hereinbefore regarding complainant's water service requirements and defendant's proposals and ability to meet them, are supported by the record except complainant's assertion that Southern California Water Company is ready, willing and able to furnish emergency service at no cost to complainant.
2. Southern California Water Company, as a condition to serving complainant, would require complainant to disconnect defendant's service.
3. Complainant's properties are within defendant's certificated service area, although the certificated service area of Southern California Water Company is along the east side of Norwalk Boulevard south of Lakeland Avenue.

4. Public convenience and necessity do not require that Southern California Water Company be permitted to furnish complainant water service within the certificated area of defendant.

5. No unreasonableness in service or rates of defendant is shown herein.

Based upon the foregoing findings, the complaint will be dismissed.

O R D E R

IT IS ORDERED that Case No. 7628 is dismissed.

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

Dated at San Francisco, California, this 3rd day of SEPTEMBER, 1963.

William W. Bennett  
President  
George T. Grover  
Fredrick B. Hallock  
Commissioners