

ORIGINAL

Decision No. 67414

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Oliver M. Hendren

vs.

Point Reyes Water Company

Case No. 7829

Filed January 30, 1964

Thomas T. Storer, for complainant.

James J. Downey and James B. Downey, for defendant.

Tedd F. Marvin, for the Commission staff.

O P I N I O N

Complainant Oliver M. Hendren seeks an order requiring defendant James J. Downey,¹ an individual doing business as Point Reyes Water Company, to cease and desist from certain alleged actions inimical to the quality of water service provided by defendant. Complainant also requests such other and further relief as the Commission deems necessary.

This complaint was heard at a public hearing before Examiner Catey at Point Reyes Station on May 11, 1964 and was submitted on that date. Copies of the complaint and notice of hearing had been served in accordance with this Commission's rules of procedure. Testimony in support of complainant's allegations was presented by complainant and five other customers; defendant and his son testified on behalf of defendant; a Commission staff engineer presented testimony and exhibits to assist in developing the factual record.

¹ The complaint was amended orally at the hearing, with the concurrence of all the parties, to name James J. Downey as defendant, rather than Point Reyes Water Company.

Complainant and Defendant

Complainant receives water service at a residence on Mesa Road about one half mile northwest of the community of Point Reyes Station in Marin County. Chart 1 of Exhibit No. 1, a report presented by a Commission staff engineer, shows that complainant's residence is at an elevation of approximately 80 feet above sea level.

Defendant is the owner of the public utility water system serving Point Reyes Station and vicinity which he operates under the name of Point Reyes Water Company. He also owns a nearby public utility water system in Marin County, operated under the name of Inverness Park Water Company, and several such water systems in Sonoma County. The business office and headquarters for all of these utility systems is located in Penngrove, Sonoma County, about 25 miles east of Point Reyes Station.

Pressure and Availability of Water

Complainant alleges that defendant's water system is so negligently and carelessly operated and maintained that a substantial number of users are without water entirely for periods of time and that the water pressure is continually inadequate for normal household use. Testimony by the various customers and the staff engineer shows that there have been occasions when parts of the system have had interruptions of service or inadequate pressures. Any issue as to whether the number of users thus affected has been "substantial" and whether the inadequate service is "continual" is somewhat academic; each of defendant's customers, including complainant, has a right to expect that reasonable pressures will be maintained at all times under normal operation of the water system. Although complainant has installed a standby tank and pressure system on his own

premises, this does not relieve defendant of his obligation to provide adequate service.

Exhibit No. 1 shows that the pumps which lift the water from the well sources to the storage tanks run continuously and that a manually operated throttling arrangement controls the proportions of the total supply which are delivered to the tanks or diverted into a creek. It is quite apparent that, under this arrangement, even with the most skillful adjustment, unanticipated heavy consumption could deplete the storage in the tanks at the same time that vitally needed water was being wasted into the creek. Maximum utilization of the well pump capacities, greater reserve storage for emergencies and periods of peak use, and more efficient operation would result from the installation of automatic controls on the well pumps.

Exhibit No. 1 shows that complainant is not served directly from defendant's storage tanks but primarily from booster pumps which are connected to the transmission main between the well pumps and the storage tanks. This arrangement is another potential cause of service interruptions to the zone in which complainant is located; even if the tanks are full, no water would be available to those booster pumps unless the well pumps also were running. When defendant installs automatic controls on the well pumps, the booster pumps must be rearranged to lift water from the present storage tanks or additional storage must be provided at the site of the booster pumps. The staff engineer recommends that the zone serving complainant be interconnected with another zone which is supplied by a separate booster pump, lifting water from the storage tanks. Each booster station would then function as an alternative service when the other station is temporarily shut down for maintenance or repairs.

Defendant recently has replaced part of the small mains serving complainant's zone. He testified that replacement of an additional 200 to 250 feet of main on Marshall Road near the bridge would also improve service to complainant.

Quality of Water

Complainant alleges that the water served by defendant continually contains a dense sediment and is cloudy and muddy. Most of the other customers who testified obtain their water from the storage tanks which supply the lower zone. The poor quality of water which they described may well be caused by too infrequent periodic cleaning of the accumulated settled material from the bottom of the tanks, which tanks defendant testified were cleaned but once a year. Defendant stated that the sediment in the water might result from interaction of chlorine, now introduced at the wells, with minerals in the water, or even with accumulated deposits of minerals in the distribution system. The staff engineer recommended that a more intensive flushing program be inaugurated by defendant, and periodic tests of the chemical characteristics of the water be made to determine whether additional treatment or facilities are needed.

Complainant alleges that defendant does not cooperate with the Marin County health authorities regarding the management and maintenance of the Point Reyes water system. Defendant agreed that he would consult further with the health authorities to determine if the chlorinator he is installing at the storage tanks will meet fully their requirements. When defendant rearranges the booster pumps for complainant's zone, he can chlorinate all of the water in storage tanks rather than distributing well water to complainant's zone without such secondary chlorination.

The staff engineer stated that, in the samples he examined the sediment in the water settles out fairly rapidly. Raising the

level of the outlet pipes in the storage tanks would provide more space for accumulation and subsequent flushing out of the settled material. This, together with the installation of a flushing valve on Marshall Road near the bridge and more frequent periodic flushing of all of the mains in the system, should effect a material improvement in water quality.

Other Matters

Complainant alleges that defendant threatened to discontinue his service in reprisal for complainant's contacting various public agencies in regard to poor service. Defendant denied this, stating that there must have been some misunderstanding of his intentions. Defendant is hereby placed on notice that discontinuance of service, other than in accordance with his filed tariffs, is prohibited by Section XIV of General Order No. 96-A and any violation thereof could subject him to the penalties set forth in Sections 2107 and 2113 of the Public Utilities Code.

Certain other allegations were made in the complaint but, inasmuch as no testimony was presented in support thereof upon which this Commission could base its findings, they will not be discussed further herein. Also, some of the testimony of customers other than complainant, and some of the staff recommendations in Exhibit No. 1, are not related to water service provided to complainant and are thus beyond the scope of this proceeding. Defendant should, however, give consideration to such testimony and recommendations in planning future improvements.

Findings and Conclusion

The Commission finds that:

1. Defendant's present facilities and methods of operation are not reasonably adequate to assure complainant of a continuous supply of potable water at adequate pressures.

2. The changes in facilities and methods of operation which defendant is directed herein to place in effect are reasonable and are necessary to provide adequate service to complainant.

The Commission concludes that defendant should be required to take the actions set forth in the ensuing order.

O R D E R

IT IS ORDERED that, within ninety days after the effective date of this order, defendant James J. Downey, doing business as Point Reyes Water Company, shall:

1. Install and place in operation automatic controls on his well pumps, which controls shall be actuated directly or indirectly by the level of water in his storage tanks.

2. Rearrange the booster station serving the Mesa Road upper zone so that water is lifted from a storage tank or tanks rather than from the transmission main which supplies the tanks.

3. Interconnect the distribution systems in his two upper zones.

4. Replace not less than 200 feet of existing small pipe on Marshall Road, near the bridge, with pipe of at least 4-inch diameter, and install a blowoff valve at the low point on that pipeline.

5. Initiate and carry out a program for periodic flushing of the storage tanks and distribution mains and for periodic testing of the chemical characteristics of the water.

6. Complete the installation of a chlorinator at the storage tanks, place it in operation, contact the appropriate Marin County health authorities to determine any additional requirements for a public water supply permit, and apply for such permit.

7. Test the effect on water clarity of raising the outlet pipe in the storage tanks, and establish and maintain the optimum height of those pipes consistent with maintaining an adequate amount of usable storage.

8. Establish and maintain weekly records of number of operating hours of all pumps and the minimum experienced level of storage, to be used in establishing design criteria for future additions to source of supply, storage and boosting facilities.

9. File in this proceeding a detailed report showing the date and manner in which he has complied with paragraphs 1 through 7 of this order.

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

Dated at San Francisco, California, this 23rd day of June, 1964.

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

Commissioner William M. Bennett, being necessarily absent, did not participate in the disposition of this proceeding.