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**ORIGINAL**

Decision No. 68375

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

JOE VILA,

Complainant,

vs.

TAHOE SOUTHSIDE WATER UTILITY,  
a corporation,

Defendant.

Case No. 7989  
(Filed August 24, 1964)

Melvin E. Beverly, for complainant.  
Sherman C. Wilke, for defendant.  
W. B. Stradley, for the Commission staff.

O P I N I O N

Complainant Joe Vila seeks an order requiring defendant Tahoe Southside Water Utility to provide a single service connection, a 5/8 x 3/4-inch meter, and a 2-inch main extension, to serve complainant's property.

A public hearing on this complaint was held before Examiner Catey at Tahoe Valley on November 10, 1964. Copies of the complaint, defendant's answer, and notice of hearing had been served in accordance with this Commission's rules of procedure. Complainant testified in support of his allegations. Testimony on behalf of defendant was presented by its president, by its general manager, and by its accountant. The matter was submitted at the conclusion of the hearing.

Complainant and Defendant

Complainant is the owner of a commercial building on Lot F, Lakeview Pines Subdivision, located on the south side of Sandy

Way between Beach Walk and Takela Drive in the community of Bijou, El Dorado County.

Defendant is a public utility providing water service to Al Tahoe, Bijou, and vicinity, along the south shore of Lake Tahoe. Defendant's service area includes complainant's property.

Discussion of Issues

Complainant testified that he constructed a medical-dental building on Lot F and that, on several occasions commencing as early as August, 1963, he requested water service from defendant but that, because of a disagreement over the terms and conditions under which such service should be provided, he has never submitted written application for service nor for a main extension to provide such service.

One alleged point of disagreement related to the number of service pipes appropriate to serve the building. Complainant alleges that, prior to April 13, 1964, defendant demanded that a separate service be provided for each of the five suites constituting the medical-dental building. Defendant's witnesses denied this allegation and testified that the utility would provide a single service for the entire building. To avoid any future issue on this subject, defendant is placed on notice that complainant's medical-dental building and grounds are an "integral property or area," and thus are a single "premises" as defined in defendant's Rule and Regulation No. 1, and therefore entitled to a single service connection pursuant to Section B of defendant's Rule and Regulation No. 18. Complainant's attention is also directed to

the fact that, as long as he remains the owner of both Lot F and the apartment house on the adjoining premises, Lot E, he is entitled to serve both premises from the present 2-inch metered service to the apartment house, if he so desires.

Another point of disagreement is in relation to the size of meter appropriate to serve Lot F. Complainant requests a 5/8 x 3/4-inch meter but defendant's general manager testified that, in his opinion, a 1-inch meter is required to provide adequate service. He admitted, however, that his opinion was not based upon any study of probable peak flows required through the meter and, further, that he did not know the normal rated capacity of a 5/8 x 3/4-inch meter. Section VI.3.b. of General Order No. 103 indicates a normal maximum flow of 20 gallons per minute for that size of meter, which flow should be ample for the facilities described by complainant.

A third point of disagreement involves the location of the nearest utility main from which an extension can be made to serve Lot F. Complainant alleged that there is already a 2-inch utility main on Sandy Way extending from Beach Walk to a point near the center of Lot G. Defendant's general manager testified that he had been under the same mistaken impression before he investigated carefully, because the 2-inch meter serving Lot G, a corner lot, had not been installed at the customary location at or near the property line closest to the distribution main to which the service connection was made. Instead, the utility's service pipe was connected to the Lot G customer's private 2-inch line at Beach Walk and the meter was installed on the customer's piping near the center of the Lot G frontage on Sandy Way. Defendant's president testified that the Lot G meter was installed in that

location to protect it from damage during grading of the intersection near where it otherwise should have been placed. The shortest possible extension required is thus 130 feet, from the 6-inch main on Beach Walk to the northwest corner of Lot F.

The fourth point of disagreement is the size of main required for the extension. Complainant contends that a 2-inch main would be adequate because there is not now, nor will there ever be, any need for service on Sandy Way beyond Lot F. Defendant's general manager testified that it was the utility's present policy to install not smaller than 4-inch mains, even though a 2-inch main would be adequate to supply the customer or customers who would be served initially from the new main. He also testified that he thought a 4-inch main would provide "better" service to Lot F than would a 2-inch main but admitted that the difference in friction loss would not be significant. It is undoubtedly good design for defendant to install a 4-inch line on Sandy Way, and eventually to complete the connection between the mains on Beach Walk and Takela Drive. It is apparent, however, that a 2-inch main would be of adequate capacity for the service requested. Under such circumstances, Section A.3.c. of defendant's Rule No. 15, Main Extensions, provides:

"If the utility, at its option, should install facilities with a larger capacity . . . than required for the service requested, the 'adjusted construction cost,' for the purposes of this rule, shall be determined by the application of an adjustment factor to actual construction cost of facilities installed. This factor shall be the ratio of estimated cost of required facilities to estimated cost of actual facilities installed."

#### Findings and Conclusion

The Commission finds that:

1. Complainant's property, Lot F, Lakeview Pines Subdivision, El Dorado County, is within defendant's dedicated area of service.

2. Complainant is entitled to service by a 5/8 x 3/4-inch meter for Lot F.

3. Defendant's nearest existing distribution main to Lot F is the 6-inch main on Beach Walk, approximately 130 feet distant.

4. A 2-inch main would have adequate capacity to serve Lot F.

The Commission concludes that defendant should be required to provide service to complainant in accordance with the order which follows.

O R D E R

IT IS ORDERED that:

1. Within five days after the effective date of this order, defendant Tahoe Southside Water Utility shall provide complainant Joe Vila with an "Application for Water Service" form.

2. Defendant shall accept and honor complainant's application for service by a 5/8 x 3/4-inch meter to Lot F, Lakeview Pines Subdivision, El Dorado County.

3. Within five days after the effective date of this order, defendant shall submit a revised main extension contract to complainant, providing for an extension of approximately 130 feet of 4-inch main from Beach Walk to the northwest corner of Lot F, 50 feet of said main to be extended without cost. Upon receipt of the executed main extension contract and construction advance from complainant, defendant shall proceed to install the required main extension without undue delay.

4. In determining "adjusted construction cost" in accordance with defendant's Rule No. 15, Main Extensions, the required size of main shall be considered to be 2-inch.

5. Within ten days after having complied with each paragraph of this order, defendant shall file in this proceeding written notification of the date of its compliance with that paragraph.

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

Dated at San Francisco, California, this 22nd day of DECEMBER, 1964.

Frederick B. Holdrup  
President  
George H. Crow  
William A. Bennett  
Commissioners