

ORIGINAL

Decision No. 68671

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of JENSEN WATER CO.,
a California Corporation, to
operate a water system in
Cabazon, Riverside County; and
to Establish Rates.

Application No. 45711
(First Supplement)
(Filed November 5, 1964)

Jack B. Tenney, for applicant.
Jean B. Benoit, interested party.
Jerry J. Levander, for the Commission staff.

O P I N I O N

Jensen Water Company seeks the lifting of the restriction against extending its water service outside its certificated area imposed by Decision No. 66945, dated March 17, 1964, in the original application as above numbered, to the extent that it be authorized to extend its water system to and furnish water service in Cabazon Estates #3 comprising 30 acres subdivided into 159 lots; to Desert Highlands tract comprising 55 acres subdivided into 356 lots; to the so-called Casino lot in the northeast corner of Government Lot 2; the Greenblatt well site; the remaining portion of Government Lot 3 not included in Desert Highlands; and all of Government Lots 1, 4, 5, 6, 7 and 8, all within the City of Cabazon, Riverside County. Tentative Tract No. 3190 comprising 243 lots is a subdivision of Government Lot 1 and a portion of Lot 4. The areas sought are shown on the map as Exhibit "C" attached to the instant application.

Authority under Section 1002 of the Public Utilities Code to exercise the rights and privileges of the franchise granted by

Ordinance No. 81 of the City of Cabazon on June 9, 1964, is also sought. A copy of said Ordinance is attached to the application as Exhibit "A".

Public hearing was held before Commissioner Grover and Examiner Warner on January 15, 1965, at Cabazon. No protests were entered and the matter was submitted subject to the receipt of late-filed Exhibit No. 103, Riverside County Health Department test of the Greenblatt well which applicant has been using since early December 1964, and which, the record shows, Greenblatt has contributed to applicant conditioned upon applicant's securing the authority herein applied for to furnish water service to Greenblatt's Desert Highlands tract.

Exhibits Nos. 101 and 102 are maps of Tentative Tract No. 3190 and the Desert Highlands tract, respectively.

Exhibit No. 104 is a report of an investigation of the application submitted by a Commission staff engineer.

Although the staff engineer concluded in Exhibit No. 104 that public convenience and necessity had only shown the need for extension of service to Cabazon Estates #3 and the Desert Highlands tract and not to Government Lots 1 through 8, the record shows that the Casino lot is planned to be developed for recreation; the Greenblatt well site is needed as the location of a part of applicant's source of water supply; development of Tentative Tract No. 3190 will commence as soon as the tract is approved; and such approval and development are imminent. The record shows that no development is planned for Government Lots 5, 6, 7 and 8 within the next 10 years, and no requirement was shown for the balance of Lot 3 not included in Desert Highlands or for the portion of Lot 4 not included in Tract No. 3190. After hearing applicant's

testimony, the staff engineer conceded that a need existed or would soon exist for service to the Casino lot, the well site, and Tentative Tract No. 3190 and that applicant's facilities could be extended to furnish service to said areas below the 1575-foot elevation.

Exhibit No. 104 shows that applicant's water supplies, and storage, transmission, and distribution facilities, except the pipeline connecting the Greenblatt well to applicant's water system and except for service above the 1575-foot elevation of the reservoir, are adequate. The staff engineer recommended that applicant be directed to install at least a 6-inch pipeline complying with General Order No. 103 to the well, and that service be restricted to elevations below 1575 feet. He further recommended that, prior to applicant's exercising any authority to extend its water system, a copy of conveyance of title to the Greenblatt well, pumping equipment, hydropneumatic tank, and land to applicant be submitted to the Commission, and that applicant be directed to fence its well and storage facilities and install float-operated pump controls.

Applicant proposes to apply its presently filed tariffs to the area to which it seeks authority to extend.

The Commission finds that:

1. Jensen Water Company is a public utility water corporation under the jurisdiction of this Commission. It was restricted from extending its water service outside its certificated area without further order of the Commission by Decision No. 66945.

2. The public interest requires that the restriction imposed by Decision No. 66945 be lifted to the extent that applicant be authorized to extend its water service to and furnish

water service in Cabazon Estates #3, Desert Highlands tract, the so-called Casino lot, the Greenblatt well site, and Tentative Tract No. 3190, all at or below but not above the 1575-foot elevation. No such requirement has been shown for the balance of the area herein sought to be freed from said restriction.

3. Public convenience and necessity require that applicant be authorized to exercise the rights and privileges granted by Ordinance No. 81 of the City of Cabazon, dated June 9, 1964.

4. The staff recommendations regarding the acquisition of the Greenblatt well and its related water system facilities, the connection of said well to applicant's existing system with at least a 6-inch main, the fencing of applicant's well and storage facilities, and the installation of float-operated pump controls, as shown in paragraph 21 on pages 5 and 6 of Exhibit No. 104, are reasonable.

5. Applicant's proposal to apply its presently filed tariffs to the area for which authority to extend is granted is reasonable.

The certificate of public convenience and necessity issued herein is subject to the following provision of law:

The Commission shall have no power to authorize the capitalization of the franchise involved herein or this certificate of public convenience and necessity or the right to own, operate or enjoy such franchise or certificate of public convenience and necessity in excess of the amount (exclusive of any tax or annual charge) actually paid to the State or to a political subdivision thereof as the consideration for the issuance of such franchise, certificate of public convenience and necessity or right.

Based upon the above findings, it is concluded that the application should be granted in part and denied in part, and that the public interest requires that the applicant should be directed to carry out the staff recommendations contained in Exhibit No. 104.

O R D E R

IT IS ORDERED that:

1. The restriction against Jensen Water Company's extending its water service outside its certificated boundaries, imposed by Decision No. 66945, is lifted to the extent that authorization is granted to Jensen Water Company to extend its water system to and furnish water service in Cabazon Estates #3, Desert Highlands tract, Casino lot, the Greenblatt well site, and Tentative Tract No. 3190, all at or below but not above the 1575-foot elevation, in the City of Cabazon, Riverside County. Except for the authorization herein granted, the restriction against the extension of service imposed by the order in Decision No. 66945 shall remain in full force and effect.

2. A certificate of public convenience and necessity is granted to Jensen Water Company to exercise the rights and privileges granted by the City of Cabazon by Ordinance No. 81 adopted June 9, 1964.

3. Within one year after the effective date of this order, and on not less than five days before service is first furnished to the public under the authority granted in Paragraph 1, applicant may file revised tariff service area maps to provide for the application of its present tariff schedules to the area authorized to be served herein. Such filing shall comply with General Order No. 96-A and the tariff schedules shall become effective on the fourth day after the date of filing. The authority granted in

Paragraph 1 shall expire unless the designated tariff sheets are filed within one year after the effective date of this order.

4. Within ten days after service is first furnished to the public under the authority granted in Paragraph 1, applicant shall submit written notice thereof to this Commission.

5. Within sixty days after service is first furnished to the public under the authority granted in Paragraph 1, applicant shall file in this proceeding four copies of a revised comprehensive map of its system, drawn to an indicated scale of not more than 600 feet to the inch, delineating by appropriate markings: (a) the tracts of land and territory served; (b) the principal water supply, transmission, pressure, storage and distribution facilities; and (c) the location of applicant's various water system properties.

6. Prior to exercising the authority granted in Paragraph 1, Jensen Water Company shall notify this Commission in writing of the connection of the Greenblatt well to its system with at least a 6-inch pipeline complying with General Order No. 103. A copy of the conveyance of title to the Greenblatt well, pumping equipment, hydropneumatic tank and land, to Jensen Water Company, shall be submitted with this notification.

7. Within ninety days after the effective date of this order, applicant shall notify the Commission in writing of the completion of fencing its well and storage facilities and of the installation of float-operated pump controls.

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

Dated at Los Angeles, California, this 2nd day of MARCH, 1965.

Frederick B. Hollister
President

W. D. Mitchell

George H. Grover

W. J. ...

Hollister, Deened
Commissioners