

**ORIGINAL**

Decision No. 69266

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

LEE ROY PATTERSON,  
 Complainant,  
 vs.  
 COAST WATER COMPANY,  
 Defendant.

Case No. 8144  
 (Filed March 11, 1965)  
 (Answered March 29, 1965)

Lee Roy Patterson, for complainant.

Mrs. Irene Brown, for defendant.

O P I N I O N

Complainant seeks an order of this Commission directing defendant to install one 2-inch water meter and service line to serve three adjoining lots owned by complainant. Defendant asserts that at present each of the three lots is being served through an individual meter; that this present service is adequate; and that it is unnecessary to install one 2-inch meter to serve the three premises.

Public hearing was held before Examiner Warner on May 4, 1965, at Los Angeles.

Complainant owns, among other properties, three adjoining lots in the City of Bell Gardens: 5819 Loveland Street (served through a 5/8 x 3/4-inch meter), 5811 Loveland Street (served through a 3/4-inch meter), and 6430 Ajax Street (served through a 3/4-inch meter). Complainant desires to improve these premises and, to accommodate the larger water use that his development plans

require, has installed water pipe larger than needed for present water service. Complainant, having been advised by the City Engineer that this change in water pipe requires a larger meter, applied to defendant for a single 2-inch service connection to supply these three adjoining lots. Defendant refused.

Defendant claims that the present services are adequate for complainant's present use; that defendant's tariff provides for separate service connections for separate premises; that defendant will provide complainant with a 2-inch meter if needed on any individual parcel but that each parcel must have a separate meter.

The record shows that the cost of the requested 2-inch meter installation and service line, exclusive of the cost of the meter itself, would be approximately \$377.

Defendant's Rule No. 18, Separate Premises, Multiple Units and Resale of Water, provides in Sections A and B, with respect to service to premises, as follows:

A. Number of Services to Separate Premises

Separate premises under single control or management will be supplied through separate individual service connections unless the utility elects otherwise.

B. Service to Multiple Units on Same Premises

Separate houses, buildings, living or business quarters on the same premises or on adjoining premises, under a single control or management, may be served water at the option of the applicant by either of the following methods:

1. Through separate service connections to each or any thereof.
2. Through a single service connection to supply the entire premises, in which case only one minimum charge will be applied.

The responsibility for payment of charges for all water furnished combined units, supplied

through a single service connection, in accordance with these rules, must be assumed by the applicant.

Section B clearly provides that adjoining premises may be supplied either through separate service connections or through a single service connection, at the option of the applicant for service. Standing by itself, Section A could be interpreted to give the option to the utility, but under the rule of construction that a particular provision is to be preferred over a general provision, we are persuaded that Section B is applicable here.

The Commission finds that:

1. Complainant's properties located at 5819 Loveland Street, 5811 Loveland Street, and 6430 Ajax Street, all in Bell Gardens, are adjoining premises.
2. Said properties are under single control.
3. It is feasible to serve said properties through a single service connection.
4. Complainant has elected to be served pursuant to Subdivision B.2. of defendant's Rule 18.
5. The requested change in service connection is for the convenience of complainant.

It is concluded that the defendant should be ordered to install a single 2-inch meter and 2-inch service to serve complainant's said properties. Complainant should be required to pay the cost of installation of the service line, not including the cost of the meter.

O R D E R

IT IS ORDERED that:

1. Upon receipt of a deposit by complainant of the estimated cost of the installation, not including the cost of the meter, defendant shall install one 2-inch meter and one 2-inch service line to provide a single service connection to complainant's properties located at 5819 Loveland Street, 5811 Loveland Street, and 6430 Ajax Street, all in Bell Gardens.

2. Defendant shall report to the Commission in writing within thirty days after the completion of the installation.

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

Dated at San Francisco, California, this 22nd day of JUNE, 1965.

Fredrick B. Holdrege  
President

George H. Brown

Alvado

William M. Biscuit  
Commissioners