

ORIGINAL

Decision No. 74522

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

G. W. Harris, et al., Complainants,

vs.

J. J. Downey dba Russian River Terrace Water Co.

Defendant.

Case No. 8734
(Filed December 12, 1967)

Walter B. Gieseke, S. A. Lesswing, and
Daniel J. Rourke, for themselves, complainants.
James B. Downey, for J. J. Downey, dba Russian
River Terrace Water Company, defendant.
W. B. Stradley, for the Commission staff.

O P I N I O N

After due notice public hearing on this complaint was held before Examiner Coffey in Forestville and submitted for decision on June 24, 1968. The complaint was signed by 16 residents of the community of Russian River Terrace, Sonoma County, against J. J. Downey, dba Russian River Terrace Water Company.

Complaint Allegations

Complainants, in summary, allege the following:

1. During many past years, for periods of an hour to as long as several days, customers have had no service, and at other times the water pressure has been extremely low and the water has been dirty.
2. Customers are discriminated against in that some users are not billed for service.
3. Distribution mains throughout the system are inadequate in size and condition. Numerous water main leaks are obvious to an observer.
4. Storage tanks are inadequate, dirty and in need of replacement or maintenance.

5. Water users are unable to contact the utility management during periods of water outages, when water main leaks occur and when other erratic operations are noticed.

Relief Requested

Complainants request an order from this Commission requiring the defendant to:

1. Make the necessary improvements and additions in facilities and operations to remedy the above inadequacies.
2. Operate in accordance with his filed tariffs.
3. Comply with the requirements of the Commission's General Order No. 103, "Rules Governing Water Service Including Minimum Standards for Design and Construction".
4. Be prohibited from serving any new or additional premises until additional facilities are installed to provide adequate service.

Defendant's Answer

Defendant denied each of complainants' allegations. As a separate and affirmative defense, for the Hollydale section of the system defendant alleged that he had completed 80 percent of a new pipeline; that he has scheduled repairs of a storage structure to restore the existing cover; and that he will install, contingent upon a field survey, a pressure system to insure adequate pressure to all service connections during maximum consumption periods.

Defendant requests that the complaint be dismissed contingent upon completion of proposed and initiated system improvements. At the hearing, defendant admitted that service problems did exist in the system; but, as an explanation of the denials in his answer, stated that it was not true that each of the service problems had been experienced by all customers as a group in the system.

Complainant Presentation

Eight complainants and customers testified relative to failures of water service, low water pressure, dirty water, leaks,

foreign material in storage tanks, and inability to contact utility personnel to report service problems. In order to insure water supply some customers have installed storage tanks. Others have installed various filters or purchased bottled water. Recent samples of dark, mud-colored water and of water containing the remains of spiders were displayed at the hearing. Complainants' testimony is that no water outages have occurred in 1968, and that the service has recently improved.

Staff Presentation

The Commission staff in February and March 1968 made a field investigation of the utility's facilities, and presented testimony and a report on its investigation, Exhibit No. 1.

Description of Water System

Water is obtained from three shallow wells located in the gravel bed of the Russian River, within the service area. The total capacity of these wells is reported to be 190 gpm. Two of the wells are located in the Hollydale area and one is located in the Russian River Terrace subdivision. Water from these wells is pumped into storage tanks through the distribution piping. The terrain of the service area varies in elevation from approximately 36 feet to 560 feet above sea level making it necessary to boost the water in two stages to the higher level tanks.

The storage facilities in this system consist of the following tanks identified with approximate capacities:

Lower Hollydale Redwood Tank (Another similar redwood tank at this location is not in use.)	10,200 gallons
Middle Hollydale Redwood Tank	10,600 gallons
Sump Redwood Tank	400 gallons
Upper Hollydale Concrete Tank	15,500 gallons
Russian River Terrace Concrete Tank	10,000 gallons
Russian River Terrace Concrete Tank	15,000 gallons
Russian River Terrace Concrete Tank	<u>9,400</u> gallons
Total	71,100 gallons

The distribution system consists of approximately 29,300 feet of various types of mains which range in size from 3/4-inch to 6 inches in diameter.

Rates and Tariffs

The utility's records show, as of February 20, 1968:

120 General Metered Services
2 Seasonal Metered Services
165 Residential Flat Rate Services
40 Seasonal Flat Rate Services
26 Inactive Services

These records also show the following:

- (a) There was \$1,351.80 in delinquent accounts for 1967, which is approximately 18 percent of the annual revenues collected.
- (b) On the metered services, 55 meters were inoperative and in need of repairs, which is 44 percent of total in system.

Results of Field Investigation

In the course of the field investigation, pressure readings were made at residences of several complainants and various other locations in the system. Static pressures ranged between 10 and 92 psi, depending on the elevation of the location. In the upper portion of the Hollydale area the pressure varied from 10 psi at the Harris residence to 44 psi at the sump tank. The main between the middle Hollydale tank and the upper Hollydale tank varied in size from 2-inch to 3/4-inch steel pipe. In the middle portion of the Hollydale area the pressure varied from 19 to 110 psi. The mains between the middle Hollydale tank to the lower Hollydale tank ranged in size from 4-inch asbestos-cement to 1-1/2-inch galvanized steel. In the lower portion of the Hollydale area the pressure ranged from 15 to 90 psi. The mains between the Hollydale pumps and the lower tanks ranged in size from 6-inch to 2-inch.

The poor quality of water in the system is made worse by mud and other sediment in the storage tanks. The capacity of the

pumps, as reported, appeared to the staff to be adequate for this system if the mains did not leak. At the time of the field investigation it was difficult to find any of the leaks complained about as the ground was wet from the winter rains and seepage from springs.

Until recently the water system was operated and maintained by one man, Mr. C. J. Zastrow, who also operates and maintains the five other water systems, serving over 1,100 customers, owned by Mr. Downey in Marin and Sonoma Counties.

From an examination of the County Assessor's records by the staff it appears that there are 445 improved premises in the utility's service area indicating that there could be up to that number of water users. The staff engineer made a water-user survey in the Hollydale area where water shortages are frequent. It showed that of a total 177 residential premises in the surveyed portion of River Drive, River Road, Old River Road, Field Lane, Woodside Drive and Canyon Road, 134 customer premises were identified, 1 residence was served by a private well and 42 other residences had water service or appeared to have a service connection but the names of owners or renters did not appear in the records as customers of the utility. This list of 42 residences has been made available to the utility.

The staff concluded in its report that the cause of the service complaints appears to be a combination of:

- (a) No established program of the utility for the cleaning of storage tanks or the flushing of mains.
- (b) Inadequate size of portions of the mains connecting the lower Hollydale tank with the upper Hollydale tank.
- (c) Inadequate capacity of the storage tanks serving the Hollydale segment of the system.
- (d) The fact that the upper storage tank is not at sufficient elevation to provide adequate water pressure to customers in the upper portion of the Hollydale area in the vicinity of the Harris residence.

- (e) Interior corrosion of steel water mains in the Hollydale area probably causing discolored water together with sediment in the storage tanks. (Water pumped from the river wells is generally clear. When the river is flooding the water contains sediment.)
- (f) The system does not receive sufficient operation and maintenance attention.

Defendant's Presentation

Witness for defendant acknowledged that trouble spots have existed in the system for some years, but that action has been and is being taken to prevent outages in the future. The utility plans to establish a booster station to pump from the middle Hollydale tank to the upper Hollydale tank, to connect customers presently experiencing outages to the high pressure side of the booster pump. Completion of the pump installation and new pipe to the upper Hollydale tank has been waiting easement permission, which has now been received.

Mains are being reinforced between the lower Hollydale tank and the middle Hollydale tank to permit more water to be pumped by the new booster pump.

A full-time helper has been employed for the past several months to assist in the operation and maintenance of the Downey utilities. Witness for defendant testified that it was the defendant's intent to continue to have this full-time helper.

Defendant maintains that he spends considerable effort to identify parties occupying premises and to collect payments.

Staff Recommendations

The staff engineer recommends that the utility should:

- (a) Within 60 days make a detailed field survey of all of the utility's water users, bring customer records up-to-date and bill all users for service and file a report with this Commission showing that it has been done.

- (b) Establish a program of flushing of all mains once each month during the period May through October.
- (c) Establish a program of inspecting the contents of each tank at least once each week during the period May through October.
- (d) Establish a program of cleaning thoroughly all storage tanks at least once each year during the winter or spring months.
- (e) Complete within three months the replacement of the water main between the middle Hollydale tank and the location of the sump tank. (This project was commenced in 1968 at an estimated cost of \$1,500.)
- (f) Complete before December, 1968, the replacement of the water main between the lower Hollydale tank and the middle Hollydale tank. (This project was commenced in 1967 at an estimated cost of \$2,000.)
- (g) Discontinue use of the 400-gallon redwood sump tank and install a pressure system to serve approximately 20 customers at the highest elevation in the Hollydale portion of the system. The estimated cost of the project is \$500 and should be completed within 60 days.
- (h) Discontinue services to users for nonpayment of bills after written notice in accordance with filed tariffs.
- (i) Establish a five-year improvement program for the progressive replacement of all leaking and undersized mains and bring system up to the requirements of General Order No. 103.
- (j) In the event that a water shortage develops in the Hollydale portion of the service area during June, July, August or September, 1968, the utility shall on an immediate basis repair or replace the existing 10,000-gallon redwood storage tank not in service, located at the lower elevation in the Hollydale portion of the system.

Complainants indicated that if the staff recommendations were implemented their complaints would be substantially satisfied. Defendant has no objection to the foregoing staff recommendations, except "i" which he interprets as requiring the rebuilding of the entire system to comply with General Order No. 103 at great cost.

Defendant stated he is willing and financially able to construct the facilities contained in the staff recommendations, except "i", stating that most of the expensive portion of the recommendations had been completed.

From the staff presentation it appears that the staff intended recommendation "i" to apply only to leaking and undersized mains which presently are incapable of rendering adequate service, and that defendant has recently replaced mains which are not in accordance with the requirements of General Order No. 103. Authorization to deviate from the size requirements of General Order No. 103 has not been requested by defendant.

Defendant also agreed to file revised tariffs covering rules, service area and facilities.

A representative of the California State Department of Public Health recommended that all storage tanks of the utility be provided with water-tight coverings, that all storage tank openings be screened with 1/4-inch or less mesh to eliminate the entry of foreign objects into the tanks, and that the utility maintain daily records of the chlorination system. The representative supported all of the staff recommendations, but desired that the flushing of mains and inspection of tanks be extended from the recommended May-October period to the entire year.

Findings and Conclusions

The Commission finds that:

1. Defendant does not collect payment for his service from a minimum of approximately 42 customers.
2. Defendant does not collect from all users of his service in accordance with his filed tariffs.
3. Water served by defendant is frequently mud-colored and contains filterable debris.

4. Defendant does not regularly flush mains, and inspect and clean storage tanks to ensure service of uncolored and debris-free water to his customers.

5. On May 21, 22, 23 and 24, 1967, and on July 21, 22, 23, 24, 25 and 26, 1967, and on other numerous occasions, water service was either not available to some of defendant's customers or was available at such low pressures as to be entirely inadequate and unsatisfactory.

6. The size of the water main between the middle Hollydale tank and the sump tank is too small to permit adequate service to customers served from this main.

7. The main between the lower Hollydale tank and the middle Hollydale tank leaks.

8. The present sump tank and booster pump does not provide adequate water to customers at the highest elevation in the Hollydale portion of the system.

9. The recommendations of the staff and the California State Department of Public Health are reasonable and are required to render adequate and healthful public utility water service.

We conclude that the defendant should collect payment for service in accordance with his filed tariffs and be required to improve his service as herein ordered.

O R D E R

IT IS ORDERED that:

1. On or before October 1, 1968, J. J. Downey, dba Russian River Terrace Water Company, shall make a detailed field survey of all of the utility's water users, bring customer records up-to-date, and bill all users for service, and file a written report with this Commission on or before November 1, 1968, setting forth the names of

users added to the records of the utility, amounts billed, amounts received, amounts uncollected, and steps being taken to collect delinquent amounts, all as the result of the survey.

2. Defendant shall collect all amounts due him for water service in accordance with his filed tariffs and shall discontinue service to water users for nonpayment of bills after written notice in accordance with his filed tariffs.

3. Defendant shall cause the contents of each tank on the Russian River Terrace Water system to be inspected at least each week of the year and any observed debris to be promptly removed.

4. Defendant shall cause all storage tanks on the Russian River Terrace Water system to be cleaned thoroughly at least once each year and shall report to the Commission, in writing, on or before June 1 of each year, until 1974, the dates on which each tank was cleaned during the 12 months preceding the date of such report.

5. On or before October 1, 1968, defendant shall complete the replacement of the water main between the middle Hollydale tank and the sump tank location. This replacement shall be in accordance with the requirements of General Order No. 103 or permission to deviate therefrom shall be obtained from this Commission.

6. On or before December 31, 1968, defendant shall complete the replacement of the water main between the lower Hollydale tank and the middle Hollydale tank. This replacement shall be in accordance with the requirements of General Order No. 103 or permission to deviate therefrom shall be obtained from the Commission.

7. On or before October 1, 1968, defendant shall install a pressure system to serve approximately 20 customers at the highest

elevation in the Hollydale portion of the Russian River Terrace Water Company system and shall discontinue use of the 400-gallon redwood sump tank.

8. On or before December 31, 1968, defendant shall install on all tanks of the Russian River Terrace Water Company system water-tight coverings and 1/4-inch, or smaller, mesh screens over all openings to minimize the entry of debris and foreign objects into the tank.

9. Defendant shall cause all mains of the Russian River Terrace Water Company system to be flushed once each month during the year.

10. Defendant shall maintain daily records of the operation of the chlorination facilities of the Russian River Terrace Water Company.

11. On or before December 31, 1968, defendant shall survey the water mains of the Russian River Terrace Water Company system, determine which mains cause loss of water because of leaks and which cause loss of pressure because of small size, and shall submit, in writing, a program for replacing over a five-year period said leaking or undersized mains. Defendant shall indicate those replacements proposed which would not meet the requirements of General Order No. 103 and the manner by which the proposed deviation would permit adequate service.

12. Defendant shall immediately place on the Hollydale system of the Russian River Terrace Water Company in good operating condition a 10,000-gallon redwood storage tank in the event a water shortage develops in the Hollydale system during August or September, 1968.

13. On or before December 31, 1968, defendant shall report, in writing, the status of service improvements ordered in paragraphs Nos. 5, 6, 7 and 8 hereof.

14. Within thirty days after December 31 of each year, until 1974, defendant shall report, in writing, to the Commission the days during the preceding year that two full-time employees were available to service, maintain and operate the water system of the Russian River Terrace Water Company.

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

Dated at San Francisco, California, this 13th
day of AUGUST, 1968.

William M. Bennett

President
August

Commissioners

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

Commissioner Fred P. Morrissey, being necessarily absent, did not participate in the disposition of this proceeding.