

Decision No. 75043**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Hope Campbell, et al., Complainant
 vs.
 J. J. Downey dba Rio Dell Water Co.,
 Defendant.

Case No. 8778
 (Filed March 25, 1968)

Hope Campbell, for herself and others, complainants.
James J. Downey, for Rio Dell Water Company,
 defendant.
Sam E. Winegar, 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 Guerneville on September 3, 1968. The matter was submitted for decision on October 1, 1968, upon the receipt of Exhibit No. 4. The complaint was signed by six residents of the community of Rio Dell, Sonoma County, against J. J. Downey, doing business as Rio Dell Water Company.

Complaint Allegations

Complainants, in summary, allege the following:

1. For periods of hours to 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 requested that defendant:

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 did not affirm or deny complainant's allegations in an answer to the complaint.

Complainants' Presentation

Seven complainants and customers testified relative to failures of water service, low water pressure, dirty water, leaks, damage to equipment, and cost of equipment repair. In order to obtain adequate water, customers have installed automatic sprinkler and filtering systems and purchased bottled water. Exhibit No. 2 indicates that between November 4, 1964 and July 18, 1968, there were not less than 95 service outages at the home of a customer, varying in time from twenty minutes to several days. A sample of light tan, translucent boiled water was displayed at the hearing. This sample was obtained on the day before the hearing.

Staff Presentation

The Commission staff in May and June 1968 made a field investigation of the utility facilities and presented testimony and a report of its investigation, Exhibit No. 3.

Description of Water System

Water is obtained from two shallow wells in the gravel bed of the Russian River. The total capacity of these wells is reported to be 240 gpm. Water from the wells is pumped into storage tanks through the distribution piping. Since the terrain of the service area ranges in elevation from approximately 40 feet to 320 feet above sea level, it is necessary to boost the water from a lower redwood tank to the two upper tanks.

These storage facilities have the following indicated approximate capacities:

Lower Redwood Tank	10,000 gallons
Upper Concrete Tank	28,000 gallons
Upper Redwood Tank	<u>9,800</u> gallons
Total	47,800 gallons

The distribution piping consists of approximately 22,089 feet of various types of pipe which range in size from 3/4-inch to 6 inches in diameter.

Results of Field Investigation

In the course of the field investigation, pressure readings were taken at residences of several complainants and various other locations in the system. Static pressures ranged between 8 and 95 psi, depending on the elevation of the locations where the pressure was taken.

During May and June the road department of Sonoma County improved River Road, the main thoroughfare along the river. These

improvements made it necessary for the utility to replace approximately 1,300 feet of its water mains. This construction work caused sediment to move through the water system and to discolor the water. Numerous leaks were observed in the water mains on Westside Road, Argonne Way and Trenton Road. The well and booster pumps appear to have adequate capacity for this system if water does not escape through the leaks in the mains.

The low pressures are due to approximately 45 customers' premises being situated near the same elevations as the three storage tanks. Also, other customers' premises are served by inadequate mains which are too small to permit sufficient quantities of water to flow during hours of peak demand resulting in low pressures or complete interruptions.

There are approximately 374 improved premises in the utility's service area. The total number of active service connections reported in the utility's 1967 annual report is 288, a difference of 86.

The staff concluded in its report that the cause of the service complaints appear to be that:

1. The utility does not follow an established program of cleaning storage tanks or flushing mains.
2. Storage tanks are not situated at sufficient elevation to provide adequate pressures for customers in the higher portions of the service area.
3. Much of the piping is too small to permit the flow of adequate quantities of water.
4. Interior corrosion of some of the older steel mains is the probable cause of most of the discoloration. Water pumped from the river wells is generally clean.

5. The system does not receive adequate attention for proper operation and maintenance.

Defendant's Presentation

A customer witness for defendant presented clear samples of cold and boiled water drawn at his residence on the day of the hearing. The witness testified that in prior years there were reasons to complain about the service but that the water system had been substantially improved during the current summer, noting that the water quality is now substantially better than that of nearby systems. This customer opposed a recommendation of the staff to progressively improve the system by replacing all leaking and undersized mains and to bring the system service up to the requirements of General Order No. 103. Based on his expert knowledge, this customer testified that implementation of this staff recommendation would require a staggering investment and substantially increased rates.

Defendant presented a sample of water drawn from the same premises from which complainant's sample was drawn. This sample was clear without any evidence of foreign bodies.

Defendant testified that during the summer of 1967 a new well had been developed which is double the pumping capacity of previous wells and of very low iron and manganese content. Defendant believes the system is now in good shape because extensive moving and renewing of mains caused by highway construction was completed on August 15, 1968, and, the systems at low and high elevations are now connected. There were no service problems during the Labor Day three-day weekend immediately before the hearing.

Staff Recommendations

The staff engineer recommends that the utility should:

1. 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.
2. Establish a program of flushing of all mains once each month.
3. Establish a program of cleaning thoroughly all storage tanks at least once each year during the winter or spring months.
4. Repair the leaking water mains in the system as soon as possible.
5. Repair screens and covers on top of storage tanks.
6. Repair float control wires leading to lower storage tank.
7. Install approximately 410 feet of 4-inch pipe before December 1968 to connect the 2-inch main on Argonne Way with the 6-inch main on Trenton Road to provide a looped main for better pressure.
8. Complete before July 1969 the replacement of the remaining small main on River Road near Westside Road. This is approximately 400 feet.
9. Discontinue services for nonpayment of bills after written notice in accordance with filed tariffs.
10. Establish a five-year improvement program for the progressive replacement of all leaking and undersized mains and to bring the system service up to the requirements of General Order No. 103.

Defendant indicated his willingness to comply with the staff recommendations, noting that recent construction eliminated the necessity for the recommended installation of mains on Argonne Way, Trenton Road and River Road and that replacement of some of the small mains to obtain 25 pounds of water pressure would cause hardships.

To satisfy a long-standing complaint of inadequate water service at 9236 Rio Vista defendant agreed at the hearing to reconnect the service pipe to an alternate source.

A representative of the California State Department of Public Health testified that the tanks had been poorly maintained, that tank roofs and screens were in need of repair, and that proper chlorination records are not being kept by defendant.

Findings and Conclusion

The Commission finds that:

1. Defendant does not collect payment for his service from approximately 86 users.
2. Water served by defendant is frequently discolored and contains filterable debris.
3. Defendant does not regularly flush mains, and inspect and clean storage tanks to ensure service of uncolored and debris-free water to his customers.
4. On 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.
5. Defendant has not promptly repaired leaking water mains.
6. Defendant has not kept adequate water supply chlorination records.

7. Defendant improved system operation immediately prior to the hearing on this complaint.

We conclude that the defendant should collect payment for water 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 December 31, 1968 J. J. Downey, dba Rio Dell Water Company, shall make a detailed field survey of all of the utility's water users, bring customer records up to date, bill all users for service, and file a written report with this Commission on or before January 31, 1969, 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 of the Rio Dell Water Company 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 Rio Dell Water Company system to be cleaned thoroughly at least once each year during winter or spring months and shall report in writing to the Commission 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. Defendant shall establish a program of flushing mains which as a minimum shall cause all mains to be back-flushed at least once a year and all dead-ends to be flushed at least once every two months. Upon customer complaint, mains shall be flushed as necessary to correct undesirable conditions.

6. On or before January 31, 1969, defendant shall install on all tanks of the Rio Dell 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 tanks.

7. On or before January 31, 1969, defendant shall repair the float control wires leading to the lower storage tank on the Rio Dell Water Company system.

8. Defendant shall maintain daily records of the operation of the chlorination facilities of the Rio Dell Water Company.

9. On or before January 31, 1969, defendant shall survey the water mains and services of the Rio Dell Water Company system, determine which mains cause loss of water because of leaks, which mains cause loss of pressure because of small size and which services have less than 25 pounds of pressure, and shall submit, in writing, a program for replacing over a five-year period said leaking or undersized mains and for bringing the service pressures up to the requirements of General Order No. 103. Defendant shall indicate those improvements proposed which would not meet the requirements of General Order No. 103 and the manner by which the proposed deviation would permit adequate service.

10. Defendant shall on or before December 31, 1968, reconnect the service pipe to 9236 Rio Vista to an alternate main so as to substantially improve service to this residence.

11. On or before February 15, 1969, defendant shall report, in writing, the status of the service improvements ordered in paragraphs Nos. 6, 7, and 10 hereof.

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

Dated at San Francisco, California, this 3rd day of DECEMBER, 1968.

William J. Lyons, Jr.
President
William L. Belmont
Auguston
Richard P. Monahan
Commissioners

Commissioner Peter E. Mitchell, being necessarily absent, did not participate in the disposition of this proceeding.