

ORIGINAL

Decision No. 77017

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Arland B. Jones,
Complainant,

vs.

Shasta Retreat Water System
Harry H. Gester, Owner
P. O. Box 697
Lafayette, California

Defendant.

Case No. 8936
(Filed July 15, 1969)

Arland B. Jones, for himself, complainant.
Harry H. Gester, for Shasta Retreat Water System,
defendant.
Tedd F. Marvin, for the Commission staff.

O P I N I O N

This complaint filed by Arland B. Jones, a resident of Dunsmuir, Siskiyou County, against Harry H. Gester, dba Shasta Retreat Water System, alleges that water service provided him is defective in the following respects:

- a. The water is dirty, contains small rocks, sand, mud leaves, aquatic insects, rotten wood, aquatic animals, acorns and pine needles.
- b. The debris in the water prevents the proper operation of an automatic washing machine, prevents the use of aerators on faucets, has caused water heaters to burn out and has plugged shut-off valves, toilet tank control mechanism and lawn sprinklers.
- c. At times, baths cannot be taken because of the dirty condition of the water.
- d. During the period June 30, 1969, to July 5, 1969, the main plugged to such an extent that water supply appeared to be less than half force.

Complainant requests an order requiring defendant to install a filtering system adequate to filter the water and to insure a continuous clean water supply to its customers.

Defendant did not inform the Commission that the complaint was satisfied or file an answer to the complaint.

Public hearing in this matter was held before Examiner Coffey on January 22, 1970, in Dunsmuir.

Complainant presented several witnesses to verify the complaint of dirty water; that the water has recently been shut off because of obstruction of the water intake; that debris in water has interfered with the operation of appliances, and to establish the difficulties customers have had in contacting responsible management, maintenance or other local system caretakers. A representative of the Siskiyou County Health Department testified that the tests of water from defendant's system would not meet the U. S. Public Health Service standards for bacteriological quality of drinking water and that an acceptable system would be one that included filtration and disinfection.

Defendant testified that on August 9, 1965 he had by letter advised all subscribers to make payments to a post office box in Lafayette, California, named a local representative to answer inquiries and refer problems to the Lafayette office, and requested that all complaints shall be directed to the Lafayette office.^{1/} He also testified that a local individual was available as of December 12, 1966, to periodically clear the water intake of debris and to flush the mains.

Defendant testified that he arranged for the Dunsmuir City Manager to cause a local plumber to repair any leaks in city

^{1/} Defendant's address in this record appears as a post office box in Alamo, Contra Costa County.

streets brought to the manager's attention. The record does not clearly demonstrate that the use of the local plumber is a satisfactory maintenance solution, a witness having testified that the plumber refused to perform emergency work and defendant having testified that the plumber did not reply to a letter requesting information. It also appears from defendant's testimony that since November 10, 1969 the individual who has been performing routine debris cleaning and plumbing is no longer able to perform such service. Customers on occasion have had to voluntarily clear debris from the intake to restore water service or perform emergency maintenance. On November 24, 1969, defendant's named local representative disclaimed any responsibility for customer complaints or upkeep of water line other than to drain it periodically. In addition to the above, it appears that another customer, who does not have a telephone, has agreed to clean the intake and do other minor maintenance work when he can possibly do so.

Defendant conceded that sediment has come through the system at various times, did not know the precise nature of the debris, and acknowledged that a filtering problem exists. Defendant also did not deny allegation of appliance damage and indicated cause could be the collection of sediment if flushing valves were not opened. Defendant had no knowledge of water being so dirty as to prevent the taking of baths. Defendant denied that the water main was plugged partially during the period June 6, 1969 to July 5, 1969.

During the hearing a customer reported that the system was without water. Defendant explained the cause of such trouble usually is leaves covering the mesh of the intake during heavy rains. During the hearing defendant could not reach by telephone his local assistants.

A customer testified for defendant that although the water had been off for short periods of time he could not complain about such interruptions, that he was satisfied with the quality of the water and that he has had no water problems with his appliances.

Exhibit No. 1 is the report of the staff's investigation of this complaint. The staff concluded in its report that:

- a. The debris in the water which defendant furnished his customers results from a combination of inadequate maintenance of the intake structure and the lack of main flushing.
- b. There is no means by which the customers can notify any local person of any difficulties in the operation of the water system or to complain about service.
- c. It is not practicable for a small utility operating with the facilities and the economic conditions under which defendant operates to install pressure filter facilities.
- d. With adequate maintenance of present facilities, particularly with close attention during rain storms, defendant should be able to furnish reasonably adequate service.

The report also noted that the defendant does not follow the Uniform System of Accounts for Class D Water Utilities with respect to the depreciation charges. Also, defendant's records do not conform with the Commission's Uniform System of Accounts for Class D Water Utilities effective January 1, 1966.

The staff engineer recommended that the defendant should be required to:

- a. Place rock and gravel over the screens on the intake structure to prevent the entry of debris into the water system.
- b. Make arrangements for a local maintenance man to (1) inspect the intake facilities not less than once each week and more often during stormy weather, (2) when appropriate, clean debris from the intake facilities and

rearrange the rock and gravel to keep the intake screens at maximum efficiency and (3) flush the mains at least once each month and more often during stormy weather.

- c. Furnish the maintenance man with written instructions covering his job.
- d. Arrange for telephone messages to be received in the Dunsmuir area to enable customers to notify the maintenance man of service complaints and arrange for a copy of the filed tariffs to be available for public inspection in Dunsmuir or vicinity.
- e. Report to the Commission, in writing, the name, address and telephone number of a maintenance man selected to do (a) and (b) above; furnish a copy of his written instructions required by (c) above, the date he commences his responsibilities, the terms of his employment, and the name of the party, and telephone number arranged to receive the messages in (d) above and the arrangements for the local availability of the filed tariffs.
- f. Establish and maintain records in conformance with the Commission's Uniform System of Accounts for Class D Water Utilities.
- g. For the year 1970, apply a depreciation rate of 3 percent to the original cost of depreciable plant. Until review indicates otherwise, defendant shall continue to use this rate. Defendant shall review his depreciation rate at intervals of five years and whenever a major change in depreciable plant occurs. Any revised depreciation rate shall be determined by (1) subtracting the estimated future net salvage and the depreciation reserve from the original cost of plant, (2) dividing the remainder by the estimated remaining life of the plant, and (3) dividing the quotient by the original cost of plant. The results of each review shall be submitted promptly to the Commission.

Complainant indicated that implementation of the staff recommendations would satisfy his complaint and defendant indicated his willingness and ability to comply with the recommendations.

Findings and Conclusions

The Commission finds that:

1. Debris on occasion enters defendant's water system and interferes with the operation of appliances.
2. On occasion defendant's water supply is interrupted by debris obstructing the water supply intake.
3. The staff recommendations herein set forth are reasonable.

The Commission concludes that defendant should be required to improve his water service and establish and maintain records of his operations as hereinafter ordered.

O R D E R

IT IS ORDERED that:

1. Harry H. Gester, doing business as Shasta Retreat Water System (defendant), on or before August 1, 1970, shall place rock and gravel over the screens on the intake structure of such size and to such depth that the entry of debris into the water system will be prevented and the rock and gravel will not be removed by stream flow action.
2. On or before June 1, 1970, defendant shall:
 - a. Make arrangements for a local maintenance man to (1) inspect the intake facilities not less than once each week and more often during stormy weather, (2) when appropriate, clean debris from the intake facilities and rearrange the rock and gravel to keep the intake screens at maximum efficiency and (3) flush the mains at least once each month and more often during stormy weather.
 - b. Furnish the maintenance man with written instructions covering his job.
 - c. Arrange for telephone messages to be received in the Dunsmuir area to enable customers to notify the maintenance man of service complaints and arrange for a copy of the filed tariffs to be available for public inspection in Dunsmuir or vicinity.

- d. Inform all customers, in writing, of the name, address, and telephone number of the maintenance man or service representative selected to receive customer service complaints in the Dunsmuir area.
 - e. Defendant shall discontinue his practice of requiring his customers in Dunsmuir to make their service complaints directly to him in Contra Costa County.
 - f. Report to the Commission, in writing, the name, address and telephone number of the individual selected to place rock and gravel required in ordering paragraphs Nos. 1 and 2a above; furnish a copy of the written instruction required by ordering paragraph No. 2b above; state the date said individual commenced his responsibility; and state the terms of said individual's employment, the name of the party, the local telephone number arranged to receive the messages and the arrangements for the local availability of the filed tariffs as required by ordering paragraph No. 2 above.
3. Defendant shall:
- a. Establish and maintain records in conformance with the Commission's Uniform System of Accounts for Class D Water Utilities.
 - b. For the year 1970, apply a depreciation rate of 3 percent to the original cost of depreciable plant. Until review indicates otherwise, defendant shall continue to use this rate. Defendant shall review his depreciation rate at intervals of five years and whenever a major change in depreciable plant occurs. Any revised depreciation rate shall be determined by (1) subtracting the estimated future net salvage

and the depreciation reserve from the original cost of plant, (2) dividing the remainder by the estimated remaining life of the plant, and (3) dividing the quotient by the original cost of plant. The results of each review shall be submitted promptly to the Commission.

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

Dated at San Francisco, California, this 31st day of MARCH, 1970.

William Synovis J.
President

Augusta

J. H. Keen

James W. ...

Vernon L. ...
Commissioners