

Decision 82-67 100 July 21, 1982

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the Application of)
Ronnie Jessie Eliza Allen for)
exception from the ban on water)
service connections in the Russian)
River Terrace Water Company service)
area.)

Application 82-03-85
(Filed March 22, 1982)

O P I N I O N

By this application Ronnie Jessie Eliza Allen (applicant) requests an exemption from the Commission's moratorium on new connections imposed on several of James J. Downey's water systems, including the Russian River Terrace System (Russian River) of the Russian River Water Company, by Decision (D.) 81621 dated July 24, 1973.

Ordering Paragraph 4 of D.81621 in Case (C.) 9076 provided that:

"Until further order of this Commission James J. Downey, doing business as Penngrove Water Company, Kenwood Village Water Company, Rio Dell Water Company, and Russian River Terrace Water Company, and James J. Downey and W. H. Appleton, doing business as Cannon Manor Water System and Happy Acres Water Company, Inc., shall limit service to those customers presently being served by said water systems."

1/ Russian River Terrace Water Company and Rio Dell Water Company have been merged to form Russian River Water Company.

Applicant is requesting an exemption for water service at a lot located at 9380 Champs Elysees in the Russian River service area. Applicant states in the application that:

1. The family consists of five people;
2. The family is in the process of purchasing a lot located at 9380 Champs Elysees on which they hope to build a house;
3. There is already a water connection to this property;
4. There was water service until the house burned down in 1969; and
5. Spring water is not feasible for the family's needs.

Discussion

D.81621 imposed a moratorium on new service connections to several of James J. Downey's water companies including the Russian River system. That decision was based on many factors including inadequate water services, inadequate and deteriorated mains, lack of maintenance, and inadequate storage facilities.

Since D.81621 was issued, seven requests for an exemption from the moratorium have been approved and nine requests have been denied. In granting the request in D.93428, the Commission accepted applicant's assertion that many of the ordered system improvements had been completed and that the imminent securing of a Safe Drinking Water Bond Act (SDWBA) loan would allow for the addition of a new well, provision for additional storage, and upgrading of several key mains.

The Commission's Hydraulic Branch staff stresses the importance of the additional well, additional storage, and upgrading of the mains as necessary to serve the present customers. Staff

further advises that just during the current year there have been several informal complaints handled by Consumer Affairs and the Hydraulic Branch concerning low pressure and lack of water for up to five consecutive days. Staff concludes that many of these complaints arose out of events beyond Russian River's control, namely the formaldehyde spill near Ukiah.

Staff advises also that it agrees with the State Department of Health Services that any new connections at this time would only exacerbate the existing inadequate service problems. However, staff concludes that restoring service to a site where the house had burned down is not "a new service" and that the exemption should be granted.

Based on the available evidence we will accept staff's recommendation to grant an exemption to applicant for water service at the burned-out building site at 9380 Champs Elysees. A public hearing is not necessary.

Findings of Fact

1. Applicant seeks to obtain water service at a lot located at 9380 Champs Elysees.
2. A moratorium limiting service to those presently being served was initiated by D.81621 dated July 24, 1973 in C.9076.
3. Since the moratorium there have been seven exemption requests approved and nine requests denied.
4. There is an existing water connection at this lot.
5. There was water service to the property until the house burned down in 1969.
6. A SDWBA loan for Russian River to renovate its system, including additional water supply, was approved by D.92061 dated July 29, 1980. That decision authorized a surcharge to existing rates to repay the principal and interest.

7. The connection authorized should impose no burden on customers presently receiving service from Russian River.

Conclusion of Law

Restoring service to a site where the house had burned down should not be considered a new service; therefore, Russian River should be authorized to provide water service to applicant at 9380 Champs Elysees.

O R D E R

IT IS ORDERED that:

1. An exemption to Ordering Paragraph 4 of D.81621 dated July 24, 1973 in C.9076, as modified by D.86477 dated October 5, 1976, is granted.

2. James J. Downey, doing business as Russian River Water Company, shall accept an application from Ronnie Jessie Eliza Allen to provide water service to the lot at 9380 Champs Elysees.

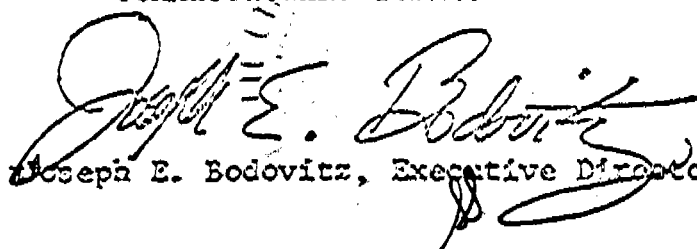
This order becomes effective 30 days from today.

Dated July 21, 1982, at San Francisco, California.

JOHN F. BRYSON
President
RICHARD D. GRAVELLE
VICTOR CALVO
PRISCILLA C. GREW
Commissioners

Commissioner Leonard M. Grimes, Jr.,
being necessarily absent, did not
participate.

I CERTIFY THAT THIS DECISION
WAS APPROVED BY THE ABOVE
COMMISSIONERS TODAY.


Joseph E. Bodovitz, Executive Director

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2. The family is in the process of purchasing a lot located at 9380 Champs de ~~Eyless~~^{Eyless} on which they hope to build a house; *Eyless*
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SS

Findings of Fact

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