

ORIGINAL

Decision No. 88865 MAY 31 1978

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of JEFFREY GORDON TAPPAN )  
 for an exemption from the provisions )  
 of Decision No. 81621, and for an )  
 order that water service may be )  
 connected to property in Forestville. )

Application No. 57804  
 (Filed January 16, 1978)

Jeffrey Tappan, for himself, applicant.  
John B. Downey, for Russian River  
 Terrace Water Company, interested  
 party.  
Eugene M. Lill, for the Commission staff.

O P I N I O N

Jeffrey Tappan (applicant) requests the Commission to authorize James J. Downey (Downey), dba Russian River Terrace Water Company, to provide water service at 909 Esther Avenue, Forestville, California. Applicant alleges that a main connection and service line was installed at the site by the former owner, but was never connected because the former owner did not complete the proposed dwelling.

Downey refused to provide service because the Commission in Decision No. 81621 dated July 24, 1973 in Case No. 9076 ordered Downey to cease making any new connections to his service. This action was precipitated by the Commission finding of inadequate water supply and equipment maintenance.

Public hearing was held April 7, 1978 at Sebastopol at which time the matter was submitted.

At the hearing the applicant did not testify stating that he could add nothing to that stated in the application.

The staff presented Mr. Frank Lindskoog who testified that after the application was filed an investigation of the applicant's property and supply facilities thereto was conducted.

The investigation showed that service to applicant would be via a 2-inch continuous main, gravity-fed from one end by a 10,000-gallon tank and from the other by a one-horsepower motor pumping out of a reactivated 8,000-gallon tank. This stretch of main, between these sources, now serves 12 customers. Tests showed static pressure was more than 70 psi, flowing pressure with one faucet open was 70 psi. It was ascertained that a service connection off the 2-inch main at the subject lot was in place.

Applicant's lot is about one-fifth acre and has a foundation situated, which portends a small house (perhaps 600 square feet). The property slopes fairly heavily which would militate against a garden of any size. The surrounding terrain remains in a natural state and there is no reason to believe that applicant would introduce shrubbery requiring much irrigation.

Mr. Lindskoog stated that since Decision No. 81621 was issued in 1973, there have been three interim decisions dealing with Downey. Though not intended to provide a solution for all shortcomings uncovered, the Commission found that all directives with regard to improving the system had been carried out.

Mr. Lindskoog stated that five customers of Downey were contacted and that all expressed overall satisfaction with service although difficulties do arise periodically.

Finally, Mr. Lindskoog stated that it was the staff's opinion that Downey should be permitted to activate the existing service connection and that in his opinion there would be no degradation of service to present customers. This opinion was based on the fact that the connection sought had been planned for and approved at the time of the subdivision and the system has been upgraded since that time.

The staff recommended that the application be granted.

Mr. John B. Downey, Downey's manager, testified that an 8,000-gallon tank equipped with a one-horsepower pump had been reactivated and that there have been no service complaints for the past 12 months.

On cross-examination Mr. Downey stated that Downey has a five-year master plan to improve the system; that many projects in the master plan have been completed; that an application to secure additional financing under the 1976 Safe Drinking Water Bond Act has been filed; and that Downey's service and maintenance man is only eight minutes away from the service area should any need arise.

There were no protests.

#### Findings

1. Applicant anticipates ownership of a lot in the service area of Downey that presently has a main connection for a service line.
2. In Decision No. 81621 dated July 24, 1973 in Case No. 9076, the Commission ordered Downey to cease making any new service connections because of an inadequate water supply and equipment maintenance.
3. Applicant would be serviced by a 2-inch main, gravity-fed from one end by a 10,000-gallon tank and from the other end by a one-horsepower motor pumping out of a reactivated 8,000-gallon tank.
4. In Decision No. 86477 dated October 5, 1976, the Commission found that the directives in Decision No. 81621 to improve service have been carried out.
5. Activation of applicant's service connection could be accomplished without degradation of service to existing customers.

#### Conclusion

As an exception to the provisions of Ordering Paragraph 4 of Decision No. 81621 dated July 24, 1973 in Case No. 9076, Downey should be authorized to provide water service to applicant at the lot located at 909 Esther Avenue, Forestville, California.

O R D E R

IT IS ORDERED that as an exception to Ordering Paragraph 4 of Decision No. 81621 dated July 24, 1973 in Case No. 9076, James J. Downey, doing business as Russian River Terrace Water Company, is authorized to accept an application for water service from Jeffrey Tappan and to provide water service to him at the location of 909 Esther Avenue, Forestville, California.

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

Dated at San Francisco, California, this 31st day of MAY, 1978.

President  
*William J. Quinn, Jr.*  
*Veronica S. Sturgeon*  
*Charles D. Howell*

Commissioners

Commissioner Robert Batinovich, being necessarily absent, did not participate in the disposition of this proceeding.

Commissioner Claire T. Dedrick, being necessarily absent, did not participate in the disposition of this proceeding.