

FG

Decision No. 90095 : MAR 27 1979

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of MAGILDA AROZ and
MARTIN AROZ, JR. for a variance
to General Order No. 103 with
regard to minimum water fire
flow for 2 duplexes.

Application No. 58567
(Filed January 3, 1979)

O P I N I O N

Applicants, Magilda Aroz and Martin Aroz, Jr., requested a variance from General Order No. 103 regarding fire flow requirements at 626 North Shaws Flat Road, Sonora. General Order No. 103, Section VIII, Fire Protection Standards 1(a)5, duplex residential units, neighborhood business of one story, requires a minimum flow of 1,500 gallons per minute for two hours. The applicants have been informed by the water utility, Pacific Gas and Electric Company, that the existing six-inch water main has a capacity of approximately 570 gallons per minute, and it would be necessary to parallel this water main with 1,790 feet of 12-inch water main. This improvement to the water mains will cost approximately \$55,000 to meet the required fire flow. The applicants state that it would be economically prohibitive for the applicants to make this expenditure to improve the water mains. The applicants have submitted a letter from Guy C. Mills, Fire Chief of Sonora, recommending that the 1,500 gallons per minute fire flow requirement be waived at the proposed duplexes. The applicants also submitted a requirement of the City of Sonora Planning Commission that an existing building on the property be removed.

Pacific Gas and Electric Company's position on this and other similar deviation applications is that it cannot support the granting of the deviation because (1) PG&E, as a regulated

public utility, has an obligation to comply with all Commission Orders, including G.O. 103, and to implement them as directed, and (2) a deviation from the system reinforcement requirements of General Order No. 103 would shift those requirements and its cost to a future applicant requiring the same fire flow or to the company and its ratepayers at such time as the mains requiring reinforcement would normally be replaced. However, PG&E has not objected to an ex-parte decision on the application.

Findings and Conclusions

1. Fire flow at the proposed building site is approximately 570 gallons per minute and does not meet the requirements of Commission General Order No. 103 of 1,500 gallons per minute.

2. The expenditure of \$55,000 to improve the water main by the applicants would cause them serious financial hardship.

3. The City Fire Chief has accepted the existing fire flow.

4. The deviation from fire flow requirements of General Order No. 103 will not be adverse to the public interest and is justified.

5. A public hearing in this matter is not necessary.

6. The application should be granted.

7. Applicants shall advise each prospective purchaser of the limited fire flow available. ✓

O R D E R

IT IS ORDERED that:

1. A deviation is granted from Section VIII, 1(a)5, of General Order No. 103, authorizing the applicants to receive service on the basis of an existing fire flow of approximately 570 gallons per minute in lieu of 1,500 gallons per minute.

2. Applicants shall advise each prospective purchaser, by providing them a copy of this decision, of the limited fire flow available. ✓

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3. Pacific Gas and Electric Company is directed to provide a suitable water service connection upon proper application. ✓

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

Dated at San Francisco, California, this 27th day of MARCH, 1979.

John E. Coyne
President
Vernon L. Sturgeon

Clair J. DeLoach
Richard D. Gravelle
Commissioners

Commissioner Richard D. Gravelle, being necessarily absent, did not participate in the disposition of this proceeding.