

ORIGINAL

Decision No. 90486 JUL 3 1979

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Wayne & Dollie Radovich
 in the matter of the Application of the
 Deviation from the standards of the
 Commission's General Order No. 103, for
 Fire Flows in Jamestown, Tuolumne County.

Application No. 58713
 (Filed March 1, 1979)

O P I N I O N

Applicants, Wayne and Dollie Radovich, requested a deviation from General Order No. 103 regarding fire flow requirements near the intersection of State Highway 108 and Main Street, Jamestown. General Order No. 103, Section VIII, Fire Protection Standards 1(a)6, multiple residential, one and two stories; light commercial or light industrial, requires a minimum flow of 2,000 gallons per minute for two hours. The applicants have been informed by the water utility, Pacific Gas and Electric Company, that the existing water main has the capacity of approximately 750 gallons per minute, and it would be necessary to improve the water mains to meet the required fire flow. This improvement, consisting of 1,430 feet of 8-inch water main and 360 feet of 10-inch water main, will cost approximately \$47,000 to meet the required fire flow. The applicants state, as the estimated cost of the new building is \$67,500, it would be economically prohibitive for the applicants to make this expenditure to improve the water mains. The applicants have submitted a letter from James D. Taylor, of the Tuolumne County Fire Department, signed by Jerry Geissler, Deputy County Fire Warden, in which he states that the largest fire flow necessary for the building will be approximately 300 gallons per minute, and that the present fire flow (750 gpm) is totally adequate for the development.

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 their 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 750 gallons per minute and does not meet the requirements of Commission General Order No. 103 of 2,000 gallons per minute.
2. The expenditure of \$47,000 to improve the water main by the applicants would cause them serious financial hardship.
3. The Tuolumne County Fire Department 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 any 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)6, of General Order No. 103, authorizing the applicants to receive service on the basis of an existing fire flow of approximately 750 gallons per minute in lieu of 2,000 gallons per minute.

2. Applicants shall advise each prospective purchaser of the limited fire flow available, and the deed evidencing the first sale shall include a citation of the extent of the deviation from the fire flow prescribed by G.O. No. 103.

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

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

Dated at San Francisco, California, this 3rd day of JULY, 1979.

John E. Byrne
President

James L. Sturgeon

Richard D. Howell

Clara T. Smith

Thomas J. [unclear]
Commissioners