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ORIGINAL

Decision No. 90871 OCT 10 1979

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

ROBERT R. SULLIVAN, ET AL., )

Complainants, )

vs )

LINTON E. FORRESTER dba  
HILLVIEW ESTATES WATER  
COMPANY Box 268, Oakhurst,  
CA 93644, )

Defendant. )

Case No. 10602  
(Filed June 21, 1978)

Robert R. Sullivan, for complainants.  
Linton E. Forrester, for defendant.  
Rustom Dubash, for the Commission staff.

O P I N I O N

Complainants Robert R. Sullivan et al. seek an order requiring defendant Linton E. Forrester, dba Hillview Water Company (Hillview), to improve the Hillview system and its maintenance program to enable it to provide a year-round supply of potable water, free of sediment, odor, bad taste, and air; that all leaks throughout the system be repaired; and that procedures causing billing irregularities be corrected.

In answer to the complaint, Hillview states that the poor water quality complained of is attributable to the high mineral content in the well water in the Oakhurst area plus the contamination of the most productive well in the Hillview system by the Madera County Sewer Plant, and that with the removal of the contaminated well from service the water quality was acceptable to the State Department of Health.

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With respect to leaks throughout the system, the answer states that, while replacing mains in 1976, the county of Madera halted construction and that further replacement has since been installed. Finally, Hillview admitted a billing error in its April 1978 billing, but states that the error was caused by the transposition of figures and when discovered, all bills were adjusted to the customers' satisfaction.

Public hearing was held May 8, 1979 at Oakhurst before Administrative Law Judge Banks at which time the matter was submitted. Approximately 35 members of the public attended the hearing.

Defendant began operations as Hillview in 1958 to serve the Hillview Estates Subdivision located in Oakhurst, Madera County. The Goldside Subdivision was added to the Hillview Estates Subdivision by main extension contract in 1972. Hillview subsequently acquired and is presently operating the following six separate water systems:

- Sunnydale
- Royal Oaks-Hidden Oaks
- Raymond
- Hillview-Goldside
- Sierra Lakes
- Coursegold-Highlands

Hillview plans to interconnect the Sunnydale, Royal Oaks-Hidden Oaks, and Sierra Lakes systems in the near future. This complaint concerns only the Hillview-Goldside system, for which there are no present plans for interconnection.

The Hillview-Goldside system presently has a total of 94 customers, all metered. Water is supplied from four wells in the Hillview Estates Subdivision and two in the Goldside Subdivision. By order of the State Department of Health, two of the Hillview Estates wells are not now in use. The four active wells on this system produce approximately 240 gallons per minute. There are two underground concrete covered reservoirs in the Hillview-Goldside system. One reservoir is at an elevation of approximately 2,300 feet with a storage capacity of 105,000 gallons. The second reservoir is at an elevation of approximately 2,500 feet with a storage capacity of

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408,000 gallons. During periods of maximum demand, water is distributed by direct pumping and gravity flow from storage. The sizes of the mains in the distribution systems are 4 inches and 6 inches in diameter.

Complainant Sullivan testified that: (1) he was not nominated or elected spokesman for those signing the complaint; (2) it was his belief that the primary purpose of the hearing was to ensure the continued availability and quality of water; (3) with Well No. 4<sup>1/</sup> out of service the water quality and service had improved; (4) he was unaware of any new leaks but he believed there were several leaks still existing; (5) there had only been one billing irregularity which Hillview corrected to his satisfaction; and (6) it was his opinion that a large part of Hillview's problem was a lack of communication with its customers.

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1/ The Sanitary Engineering Report - Hillview Estates Water Co., August 1978 - by the California Department of Health Services references this well as follows:

Well No. 4 is 220 feet deep and cased to 24 feet with a six-inch casing. The hole penetrates alternate layers of decomposed granite and rock. The nearest sewage disposal system is 175 feet from the well. The pump capacity is 50 gpm. The discharge is not metered. The well discharges directly into the system. This well produces water of unacceptable chemical quality. Its water is also quite corrosive due to a pH of 6.4.

Mr. Forrester, testifying for Hillview, stated that the service problems regarding quantity and quality stemmed from the use of water from Well No. 4. Well No. 4 was contaminated by the Madera County Sewer Plant located some 1,500 feet upstream from the well site. He stated that Well No. 4 has since been abandoned at the direction of the State Department of Health; and that with its abandonment and Hillview's drilling for supplemental supplies, both the quantity and quality problem has been alleviated. He also stated that in January of 1979 he was informed by the Department of Water Resources that his application for a loan under the California Safe Drinking Water Bond Act of 1976 had been approved and that with the money received from that loan it would enable him to make the necessary improvements to the entire Hillview system so that it exceeds Commission standards in all respects.

Commission staff engineer Rustom Dubash testified that on October 19 and 20, 1978 he inspected the facilities of the Hillview and Goldside Subdivisions<sup>2/</sup> and reviewed Hillview's operation with defendant Forrester. He stated that he interviewed approximately 10 customers (23 percent) of the Hillview Subdivision, 50 percent of whom stated they were satisfied with the service. The other 50 percent expressed some dissatisfaction with water quality.

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<sup>2/</sup> Complainants are all residents of the Hillview Subdivision receiving water service from the Hillview-Goldside system.

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In addition to interviewing Hillview and the 10 customers, Mr. Dubash stated that he evaluated Hillview's physical plant, checked for leaks within the system, and checked the quality of water being provided. From his inspection, Mr. Dubash determined that, except for the Goldside Subdivision, the size of mains does not conform to the requirements of General Order No. 103; that only one small leak was detected; and that with the removal of Wells Nos. 2 and 4 from service, the water had improved to an acceptable level. Mr. Dubash also stated that recent billing errors complained of had been corrected; that the customers' accounts had been credited for any error; and that the customers interviewed indicated they were satisfied. ✓

Based on the field investigation and his interview with Hillview, Mr. Dubash determined that:

1. Well No. 4 was the primary cause of the poor water quality and with the removal of that well from the system quality improved to an acceptable level.
2. The number of leaks in the Hillview Subdivision are minimal.
3. The remaining ABS pipe in the Hillview Subdivision should be replaced as soon as possible to prevent an increase in leakage and damage to the adjacent pavement and road bed.
4. Billing irregularities had been corrected to the customers' satisfaction.

In making no specific recommendations, Mr. Dubash stated that: (1) the staff concluded that service is now adequate and that water quality is acceptable; (2) leaks are minimal; (3) Hillview should exercise greater care in its billing practices; and (4) Hillview should develop an effective flushing program to remove sand and silt from the lines and make all reasonable effort to prevent interruption of service, especially during any construction and maintenance.

The Commission staff also called as a witness, Mr. Jim Windsor, associate sanitary engineer for the State Department of Health. Mr. Windsor testified that when his office received a copy of the complaint, he conducted an investigation of the system and in August 1978 filed a written report. He stated that his investigation disclosed that the complaint centered specifically in the area of Well No. 4 and that after a two-week investigation, Hillview was requested to remove it from service. With the removal, of Well No. 4 from service, the quality of water improved. Mr. Windsor also stated that from his investigation he concluded that:

1. Hillview Well No. 4 is probably high in chlorides. However, the content has never exceeded the upper limit of the State standards.
2. There was no evidence of odor or taste during any of his visits to the system.
3. All of the customers he contacted indicated that the taste, odor, and rust problem stopped about three weeks after the Public Utilities Commission responded to their protest petition and that none of the customers were able to describe the taste and odor.
4. The pressure tested at about 125 psi at the low end and about 60 psi at the junction of the Hillview-Goldside system.
5. All of the customers contacted indicated there was no problem with the system at the time of his investigation.

Based on the above, we conclude that water quality is acceptable and that overall service is adequate. The relief requested should be denied.

As testified to by witness Dubash, the size of water mains and pressures within the Goldside Subdivision conform to the requirements of the Commission's General Order No. 103 (G.O. 103). The water mains within the Hillview Subdivision, which were replaced in 1976, are predominately 4-inch PVC pipe and do not conform to G.O. 103, Section VIII, 3. Leaks in the Hillview Subdivision are minimal, remaining leaks are being corrected as circumstances allow, all billing irregularities have been corrected to the customers' satisfaction, and Well No. 4 has been removed from service.

The record shows that Hillview acknowledges some problems remain and that there is a need for capital improvements. Forrester has been declared eligible by the Department of Water Resources for a loan of \$429,000 under the California Safe Drinking Water Bond Act of 1976, the proceeds of which are earmarked to make the necessary improvements to ensure both good water quality and an adequate supply.

#### Findings of Fact

1. Hillview operates six separate public utility water systems in Madera County.
2. This complaint concerns the Hillview-Goldside system. There are presently 94 metered customers in this system.
3. Water for the Hillview-Goldside system is supplied from four wells in the Hillview Subdivision and two in the Goldside Subdivision.
4. At the time the complaint was filed, there were numerous leaks and the water quality was poor with an odor and bad taste.
5. Well No. 4, located in the Hillview Subdivision, was contaminated by the Madera County Sewer Plant located some 1,500 feet upstream from the well site.
6. Hillview was ordered by the State Department of Health to abandon Well No. 4. Well No. 4 has been removed from service and capped. Three new wells have been drilled to replace Well No. 4.

7. With the removal of Well No. 4 from service, the quality of water in the Hillview-Goldside system meets the Department of Health Services standards.

8. Hillview's application for a loan of \$429,000, pursuant to the California Safe Drinking Water Bond Act of 1976, has been approved by the Department of Water Resources.

9. Hillview has been replacing mains and repairing leaks throughout its system as time and funds permit.

10. Investigation of Hillview's overall system was conducted by both the Commission staff and the Department of Health Services.

11. The overall quality of service is adequate, water quality is acceptable, leaks in the Hillview-Goldside system are minimal, remaining leaks are being corrected, and billing irregularities have been corrected to the customers' satisfaction.

Conclusions of Law

1. Service now being provided to the Hillview and Goldside Subdivisions is adequate.

2. The relief requested should be denied.

O R D E R

IT IS ORDERED that the relief requested is denied.

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

Dated OCT 10 1979, at San Francisco, California.

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

John E. Bryan  
President

Vernon L. Sturgeon  
Richard D. Swale

Lawrence J. [Signature]  
Commissioners