

ORIGINAL

Decision 93428 AUG 18 1981.

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Daniel J. Cirulli for an exemption from the provision of Decision 81621, and for an order that water service may be connected to property in Forestville.

Application 60637 (Filed June 8, 1981)

O P I N I O N

By this application Daniel J. Cirulli (applicant) requests the Commission to recognize an existing water connection and authorize Russian River Terrace Water Company (Russian River) to provide water to his lot located on Woodside Drive, Forestville.

Ordering Paragraph 4 of Decision (D.) 81621 dated July 24, 1973, 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 Harry Acres Water Company, Inc., shall limit service to those customers presently being served by said water systems."

Applicant states he is presently living in a small 1 1/2 bedroom apartment with his wife and two small children and is in need of larger living quarters. He states that homes for sale in the area are beyond his means and that increasing rents plus landlords' reluctance to rent to families with small children requires his building a modest dwelling. He states he is a carpenter and is eligible for a low-interest, self-help loan.

In support of the requested deviation, the application states that Russian River is negotiating for a California Safe Drinking Water Bond Act of 1976 loan to totally renovate its system. It states that in the past two years Russian River has installed new and larger pumps, hypochlorinators, electrical equipment, and controls and has laid extensive new mains interconnecting pump stations and storage tanks.

With respect to the construction work, repairs, tests, studies, and reports ordered by D.81621, the application states that applicant has interviewed Russian River's maintenance man and personally inspected the system concerning the mandated requirements and is of the opinion that with minor exceptions, all requirements of the order have been complied with.

The application also states applicant and his family are very conservation-oriented. It states the dwelling planned for construction will be water- and energy-efficient containing a low-flush toilet, low-volume faucets, and showerheads.

Finally, the application states that a water service connection to the property exists with a stand-pipe running from the main line. It is alleged that the connection served a home which burned some time during the 1960's. It states that although a part of a lateral was removed after the home standing on the lot burned, an easement exists which would allow a rerouting if such were required.

Discussion

There is an existing connection at the lot site which, but for a fire, would be receiving service from Russian River. Thus, this would not be a new connection but merely a reconnection of a prior service. In addition, the dwelling to be erected is to be a modest one designed with water conservation devices to ease any burden on Russian River's system. In essence, since a connection to applicant's lot already exists, he really only seeks to activate his connection. His connection should have been counted as existing when the restriction on new connections was imposed; hence, given these circumstances, this formal application was not necessary.

Also Russian River has applied for a \$559,104 California Safe Drinking Water Bond Act loan to finance improvements ordered by D.81621. D.92061, dated July 29, 1980, approved the California Safe Drinking Water Bond Act loan and authorized a surcharge to water rates to repay the principal and interest. That decision also required Russian River to acquire fee title or a long-term lease on land to drill wells that will produce sufficient water to meet customer requirements. It is anticipated that with these funds Russian River will be able to increase its well production, storage, and distribution facilities and provide adequate service to its customers. These improvement programs are monitored by our staff to ensure that they will achieve the stated goals.

In circumstances strikingly similar to those existing in this application, in D.87746 dated August 23, 1977, we found:

- "4. Although ideally Russian River Terrace Water Company should supplement its water production facilities by an additional 301 gpm, Russian River Terrace Water Company is ready, willing and able to furnish water to applicants.
- "5. One more connection at the hilltop area of the water system will impose no burden whatsoever on customers receiving service from the lower storage tanks, and no undue burden on the 18 to 20 customers receiving service from the hilltop storage tank."

We believe these findings apply to the circumstances in this application.

Granting the application does not diminish our concern with the service and supply problems of Russian River. However, we believe that with the California Safe Drinking Water Bond Act loan to upgrade the entire system plus the supervision of our Hydraulic Branch staff, the reconnection of applicant will not place an undue burden on the system or its existing customers. A public hearing is not necessary.

Findings of Fact

1. Applicant seeks to obtain water service to a home he wishes to construct on a lot on Woodside Drive, Forestville, California.
2. Applicant is presently living in a rented 1½ bedroom apartment which is too small for his growing family.
3. A moratorium limiting service to those presently being served was initiated by D.81621 dated July 24, 1973, in C.9076.
4. There is an existing service connection at applicant's lot. Service to applicant's lot would be a reconnection rather than new service.
5. A California Safe Drinking Water Bond Act 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.
6. The system improvements to be made with the California Safe Drinking Water Bond Act funds will be monitored by the Commission staff.
7. The connection authorized will impose no burden on customers presently receiving service from Russian River.

Conclusion of Law

As an exception to the provisions of Ordering Paragraph 4 of D.81621 dated July 24, 1973, in C.9076, as modified by Ordering Paragraph 2 of D.86477 dated October 5, 1976, Russian River should be authorized to provide water service to applicant at the residence to be constructed on the lot on Woodside Drive, Forestville, designated as A.P. 82-180-90, Sonoma County.

O R D E R

IT IS ORDERED that, as 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, James J. Downey, doing business as Russian River Terrace Water Company, shall accept an application from Daniel J. Cirulli to provide water service to the residence to be constructed on the lot on Woodside Drive, Forestville, California, designated as A.P. 82-189-90, Sonoma County, California.

This order becomes effective 30 days from today.

Dated AUG 18 1981, at San Francisco, California.

John E. Guyson
President
Richard D. ...
Donald ...
Antonio ...
Priscilla C. ...
Commissioners