

Master Copy

RATES AND RULES
OF THE
Cuyamaca Water
Company

SAN DIEGO, CALIFORNIA



Filed with the State Railroad Commission
June 21st 1913

Rates and Rules
of the
Cuyamaca Water Company
San Diego, California



Filed with State Railroad Commission
June 26, 1913



SECRETARY—LOU B. MATHEWS

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La Mesa, California
Residence, Eucalyptus Dam
Home Phone, La Mesa 28-71

Water Rates

The authority for the establishment of these rates rests with the State Railroad Commission and such portions of Decision No. 539, dated March 28th, 1913, as are pertinent, are reprinted herewith:

"IT IS FURTHER ORDERED that the following rates be and they are established as just and reasonable and the only rates to be charged by the applicants herein.

(1) For domestic use 25 cents per thousand gallons, with a minimum charge of \$1.25 per month, the applicants to furnish meters and cost of installation of all facilities, the consumer to furnish pipes upon his own premises.

(2) For water to the La Mesa Mutual Water Company for domestic use within the town of La Mesa, 15 cents per thousand gallons, with a minimum charge of \$100.00 per month.

(3) For water for irrigation purposes, except domestic purposes incident thereto, taken from the flume as hereinbefore described, \$65.00 per miner's inch per annum.

(4) For water for irrigation purposes, except domestic purposes incident thereto, other than that taken from the flume, \$70.00 per miner's inch per annum.

All of said rates to be charged under just and reasonable regulations as regards service as the company may adopt and this Commission approve, and shall apply on and after July 1st, 1913, and before such time the applicants shall file with this Commission rates in accordance herewith."

The Commission interprets the words in paragraph "(3)" and "(4)," "except domestic purposes incident thereto," to mean "including domestic purposes incident to irrigation purposes."

Adopted Rates

In conformity with the above decision the following schedule is adopted by the Cuyamaca Water Company, to become effective July 1st, 1913:

1. Irrigation Rates.

(a) For Indians on the El Capitan Reservation; no charge.

(b) For consumers upon the flume; \$5.40 per month per miner's inch maximum demand.

(c) For consumers upon the Distributing System (West of Eucalyptus Dam); \$5.85 per month per miner's inch maximum demand.

(d) For surplus flood water for irrigation purposes to present actual consumers, when adequacy of the system is over 100%; eight cents (\$.08) per 100 cubic feet.

2. Domestic Rates.

(a) All water used by irrigation consumers for domestic purposes incident to irrigation purposes are to be considered as part of the irrigation supply and no additional charge shall be made for the domestic character of such use.

(b) For each isolated building where water is piped from irrigation conduits and not for purposes incident to irrigation purposes, but distinct therefrom, such as dwellings occupying one acre or less, in one ownership or tenancy, schools, stores, blacksmith shops and livery stables, a monthly rate of \$1.25.

(c) For all metered consumers (except La Mesa Mutual Water Co.); 18 $\frac{1}{2}$ cents per 100 cubic feet, with a minimum monthly rate of \$1.25 for 667 cubic feet or less.

(d) For all unmetered consumers having taps on the Company's mains; a monthly rate of \$1.25.

(e) For the La Mesa Mutual Water Company; 11 $\frac{1}{2}$ cents per 100 cubic feet with a minimum monthly rate of \$100.00.

(f) For street construction; 18 $\frac{1}{2}$ cents per 100 cubic feet with a minimum monthly rate of \$1.25 for each service tap.

(g) For each sprinkling hydrant; 18 $\frac{1}{2}$ cents per 100 cubic feet, with a minimum monthly rate for 1" service tap \$2.00; for 2" service tap \$2.50 and for 3" service tap \$3.50.

(h) For each fire hydrant \$3.00 per month.

3. Charges for New Services.

(a) For each new permanent $\frac{1}{2}$ " service connection no charge, but an advance payment of \$10.00 to accompany application, which is to be credited by the Company on water bills in the succeeding months.

(b) For each temporary service connection for each sprinkling hydrant and for each fire hydrant, the full cost of the installation. *Credit*

(c) For each irrigation service connection, the full cost of installation.

4. Service Charge.

(a) For each turning on or shutting off of domestic water, whether by order of

consumer or in enforcement of these rules, fifty cents (\$.50).

(b) For the maintenance and repair of irrigation meters or other measuring apparatus owned by consumer, no charge.

~~(c) For boat hire upon reservoirs, thirty-five cents (0.35) per hour or any part of an hour.~~

~~(d) For fishing permits, fifty cents (\$0.50) per permit.~~

~~(e) For telephone rentals on Company's lines, \$3.00 per month.~~

5. Payment of Water Bills.

All water bills are due on the 1st day of the month and payable at the office of the Company, 916 8th St., San Diego, Cal. If not paid on or before the tenth day of the month, the account becomes delinquent and a penalty of 25 cents shall be added to the bill.

If the total amount of the bill including the penalty is not paid on or before the 20th day of the month, the Superintendent may cause the water to be shut off from the consumer, until payment in advance for the succeeding month, including service charges has been made, and said advance payment shall be required until all arrears shall have been paid. The amount of such monthly advance charges shall be established by the superintendent from former amounts used.

The owner of the property shall be responsible for the payment of water bills.

6. Cancellation of Consumer's Right to Service.

Irrigation consumers will be charged for maximum amount to which they are entitled, until such amount is decreased by written application of the consumer, or by forfeiture. *OK*

Upon written application the claim or portion of claim of an irrigation consumer, may be reduced in whole or in part to the number of miner's inches stated in such application. *OK*

Upon non-payment of water bills by consumer, forfeiture of right as an irrigation consumer is initiated, and such forfeiture is legally complete upon a delinquency of 10 days in monthly payments, and thereafter in case of partial tender the Company will reduce the number of miner's inches on its books to such number as may have been paid for in accordance with these regulations, cancelling the remaining miner's inches; and in case of entire default of payment by consumer, the entire number of miner's inches shall be shut off and withheld from the consumer upon the said delinquency of 10 days.

7. Definition—Basis of Irrigation Rate.

This is defined as a maximum demand rate. The consumer is entitled to an average use in one month or a continuous use, to the extent of the miner's inches, comprising his right. He may reach this maximum, but cannot exceed it. He may use less during some months of the year or none at all, but his rate is based on the maximum quantity which the Company is required to be ready to serve. Waste of water, uneconomical use of water and use

of water for other than commercial irrigation is not intended under the irrigation rate.

No reduction in irrigation charges will be made for ~~non-use of water whether on account of shortage of supply, or due to "turn-off" request of consumer, or other reason.~~ *Exafer*

8. Definition—Minimum Area to Which Irrigation Rate Will Apply.

The following distinction between irrigation and domestic use will be the rule. The irrigation rate will apply only to tracts of one-acre or more in extent; such acreage to include town lots in one tract where a sufficient number of lots in one tract collectively to make one acre or more under the ownership and control of one consumer, responsible for payment of all charges, irrigation and domestic, upon said tract; provided the lands are cultivated for the purpose of making a livelihood by the raising of products from such lands for the market.

The use of water in irrigation for ornamental purposes shall be considered domestic use.

9. Appointment of Agent, for Privately Owned Distributing Systems and Private Systems Formerly All or in Part Irrigation Distribution Systems, Provided for.

For purposes of administration and mutual responsibility joint owners of and owners of the right to use water from privately owned pipe lines, having a tap upon the Company's main, may designate an agent, responsible for the payment of water rates, both irrigation and domestic, for all

consumers upon said privately owned pipe lines. The Company will thereafter deal only with such authorized agent. The supply of water to such privately owned pipe lines shall be diminished in case of partial payment of all charges, domestic or irrigation, or may be shut off entirely upon said pipe lines, until a sufficient number of domestic consumers have been permanently disconnected or the miner's inches of irrigation consumption have been cancelled by the owner or owners of the privately owned line, to make the water rates adopted herein agree with the monthly payments.

Such agent shall be required to furnish a report in writing to the Company's office on or before the last day of each month, giving the number of consumers using domestic and irrigation water, in the district under his charge during each month.

10. Basis of Measurement of Water to Privately Owned Lines.

All water rates to consumers on privately owned lines, are to be based on measurement at point of tapping of Company's mains. Where an agent is not appointed, and the Company collects directly from a number of consumers upon a single privately owned line, the loss in distribution on said line is at the charge of the consumers, and shall be distributed pro rata as may be established by custom or by mutual agreement.

11. List of Groups of Consumers, Wholly or in Part Irrigation Consumers, and the Designated Rates Which Will Apply.

The following services, either directly taken from the Company's Flume or by

Privately Owned Distribution Systems, shall be considered, as to the collection of rates, to belong under Rule 1 (b) and Rule 2 (a) and 2 (b).

Consumers on the Company's Main Flume.

Consumers on the Lakeview Flume.

Consumers on the Lakeside Flume.

Consumers on the Hawley Pipe Line.

Consumers on the Hillsdale Flume.

Consumers on the Cresson Flume.

The following consumers on privately owned pipe lines shall be considered as to the collection of rates, to belong under Rule 1 (c) and Rule 2 (a) and 2 (b).

Consumers of the Lemon Grove Mutual Water Company.

Consumers of the Helix Mutual Water Company.

12. Irrigation Heads.

The accumulation of water into an irrigation head during any one month will be allowed by the Company, to an extent consistent with equitable management of the system. Accumulation by non-use of continuous flow in one month will not be credited to other months. Application for irrigation heads will be made in writing to the Secretary, at least on the 20th of the preceding month. Consumer will then be notified by the Superintendent, to what extent he can comply with the application and he will assign dates.

13. Definition of Miner's Inch.

The words "miner's inch" wherever used in these rules, mean that each miner's inch as measured by this Company, is a flow of water equal to 1,728 cubic feet in every twenty-four hours.

14. Irrigation Management.

The Superintendent will make an equitable distribution of water, and will prorate the water in times of shortages, and "stoppage" due to maintenance. He is authorized to make such orders and do such things as are necessary to the general operation of the system. He will, as far as possible, give two days' notice of stoppage of water or important changes of quantities allowed.

15. Service Connections.

All connections with the Company's pipe lines and conduits to be made by the Company's agent, or with the consent of the Superintendent.

16. Application for Service Connection, Domestic Water.

Anyone desiring a service connection for domestic water shall make written application at the Company's office and, upon advance payment of water rates of \$10.00, shall be entitled to a $\frac{1}{2}$ " tap service pipe and a $\frac{1}{2}$ " meter, to be located within the curb line, the Company's responsibility ceasing at this point.

17. Application for Service Connection, Irrigation Water.

Any person desiring a connection for irrigation purposes shall apply at the Company's office in writing and agree to defray the actual expense for making said connection, services and installing of meter or other appliances.

All meters, services, etc., to become a part of the property to which they are attached, but are to be kept in repair or replaced by the Company without any charge to the owner of the property.

18. One Irrigation Connection Only, Per Lot.

Each consumer shall be entitled to one connection with the Company's pipe lines or aqueducts for each lot or tract of land to which this Company agrees to furnish water, any additional connections desired, to be made only with the written approval of the Company's Superintendent, all expenses of material, labor, etc., of such additional connections, to be paid by the consumer. For the purpose of this rule, Mutual Water Companies, or Associations owning their own distributing system, are to be considered as one consumer.

19. Syphon Connections Forbidden.

The Company will not permit the use of a syphon in taking water from any of its conduits.

20. Maintenance of Consumer's Pipe Lines.

Consumers shall not in any way—either by conduits originally defective in man-

ner of construction or quality of material therein, or by permitting them to become or remain out of repair, or in any other manner—permit or allow any appreciable waste of the water supplied them, and the Company reserves the right to shut off the water without notice upon repeated or flagrant violation of this rule, until such time as the conditions are remedied.

21. Changes in Metering Apparatus.

The Company reserves the right to regulate and change the size of the openings, meters or other measuring apparatus, and manner, location and quality of connections made with its mains or aqueducts, provided that all openings shall be sufficiently large to supply, under average pressure, the amount of water to be supplied to each consumer, provided, also, that all taps and connections shall, whenever consistent with the proper operation of the system, be located at the most convenient point to the consumer.

22. Orders for Turning on or Turning off Water.

All "turn-on" and "turn-off" orders, and applications for service, to be made at the Company's main office, which will issue the proper order, in writing, to the Superintendent.

23. Order for Discontinuance.

Upon the application of the owner of a building or premises, to have the water shut off, and the payment of fifty cents (\$.50) in advance, (See Rule 4 (a), the

Company will record the reading of the meter and shut the water off.

24. Testing Meters.

Any consumer shall have the right to demand that the meter through which water is being furnished be examined and tested by the Company, for the purpose of ascertaining whether or not it is registering correctly the amount of water which is being delivered through it; provided, that when any consumer desires to have said meter so examined and tested, such consumer shall make application therefor in writing to the Company, and shall deposit with the said application the sum of \$1.00.

Upon said application being made it shall be the duty of the Company to cause said meter to be examined and tested for the purpose of ascertaining whether or not it is registering correctly the water being delivered through it.

If on such an examination and test the meter shall be found to register over three per cent. more water than actually passes through it, another meter will be substituted therefor and the fee of One Dollar will be repaid the person making the application.

25. Meter Out of Order.

When a meter is out of order, consumer will be charged the minimum rate, pending replacement or repair of meter.

26. Use of Water Limited to Tract.

No consumer shall be allowed to furnish or use water outside the bounds of the lot

or tract upon which this Company has agreed to furnish him.

27. Proper Maintenance of Private Pipes.

All persons taking water shall keep their own service pipes, flumes, ditches, hydrants, stop-cocks and other apparatus in good repair from the Company's mains to the places used, at their own expense.

28. Company's Right of Inspection and Access.

The officers and agents of the Company shall have unrestricted access, at proper hours, to all the premises supplied by the Company, to inspect the supply system, meters or other measuring apparatus, and to see that the rules of the Company regarding the taking, use, or waste of water, are faithfully executed.

29. Unauthorized Regulation of Water Forbidden.

No consumer shall be permitted to turn the water on or off at any connection on this Company's pipe lines or conduits, or open or close any gate or other device for regulating the flow of water, without the permission of the Company's Superintendent, such permission to be given in writing, excepting, in cases of emergency, when permission may be given in person or by telephone.

30. Enforcement of Rules and Penalty.

For the violation of any of the aforesaid rules, the Company reserves the right to turn off the water without notice, and to collect One Dollar from the violator for turning on of such water (Rule 4) when the matter has been properly adjusted.

Official Copy
Mathews

RATES AND RULES
of the
CUYAMACA WATER COMPANY
SAN DIEGO, CALIFORNIA.

Filed with State Railroad Commission
June 26, 1918.

SECRETARY: LOU B. MATHEWS,

Office: 916 8th St., San Diego, California.
Hours: 9 A.M. to 5 P.M.
Phones: Sunset Main 5345. Home 6016.

SUPERINTENDENT: C. HARRITT,

La Mesa, California.
Residence: Eucalyptus Dam.
Home Phone: La Mesa 28 - 71.

WATER RATES.

The authority for the establishment of these rates rests with the State Railroad Commission and such portions of Decision No. 539, dated March 28th, 1913, as are pertinent, are reprinted herewith:

"IT IS FURTHER ORDERED that the following rates be and they are established as just and reasonable and the only rates to be charged by the applicants herein:

(1) For domestic use 25 cents per thousand gallons, with a minimum charge of \$1.25 per month, the applicants to furnish meters and cost of installation of all facilities, the consumer to furnish pipes upon his own premises.

(2) For water to the La Mesa Mutual Water Company for domestic use within the town of La Mesa, 15 cents per thousand gallons, with a minimum charge of \$100.00 per month.

(3) For water for irrigation purposes, except domestic purposes incident thereto, taken from the flume as hereinbefore described, \$65.00 per miner's inch per annum.

(4) For water for irrigation purposes, except domestic purposes incident thereto, other than that taken from the flume, \$70.00 per miner's inch per annum.

All of said rates to be charged under just and reasonable regulations as regards service as the company may adopt and this Commission approve, and shall apply on and after July 1st, 1913, and before such time the applicants shall file with this Commission rates in accordance herewith."

The Commission interprets the words in paragraph "(3)" and "(4)", "except domestic purposes incident thereto", to mean "including domestic purposes incident to irrigation purposes."

ADOPTED RATES.

In conformity with the above decision the following schedule is adopted by the Guymaca Water Company, to become effective July 1st, 1913.

1. Irrigation Rates.

(a) For Indians on the El Capitan Reservation; no charge.

(b) For consumers upon the flume; \$5.40 per month per miner's inch maximum demand.

(c) For consumers upon the Distributing System (West of Eucalyptus Dam); \$5.85 per month per miner's inch maximum demand.

(d) For surplus flood water for irrigation purposes to present actual consumers, when adequacy of the system is over 100%; eight cents (\$.08) per 100 cubic feet.

2. Domestic Rates.

(a) All water used by irrigation consumers for domestic purposes incident to irrigation purposes are to be considered as part of the irrigation supply and no additional charge shall be made for the domestic character of such use.

(b) For each isolated building where water is piped from irrigation conduits and not for purposes incident to irrigation purposes, but distinct therefrom, such as dwellings occupying one acre or less, in one ownership or tenancy, schools, stores, blacksmith shops and livery stables, a monthly rate of \$1.25.

(c) For all metered consumers (except La Mesa Mutual Water Co.); 18 3/4 cents per 100 cubic feet, with a minimum monthly rate of \$1.25 for 667 cubic feet or less.

(d) For all unmetered consumers having taps on the Company's mains; a monthly rate of \$1.25.

(e) For the La Mesa Mutual Water Company; 11 3/4 cents per 100 cubic feet with a minimum monthly rate of \$100.00.

(f) For street construction; 18 3/4 cents per 100 cubic feet with a minimum monthly rate of \$1.25 for each service tap.

(g) For each sprinkling hydrant; 18 3/4 cents per 100 cubic feet, with a minimum monthly rate for 1" service tap \$2.00; for 2" service tap \$2.50 and for 3" service tap \$3.50.

(h) For each fire hydrant \$3.00 per month.

3. Charges for New Services.

(a) For each new permanent 3/4" service connection no charge, but an advance payment of \$10.00 to accompany application, which is to be credited by the Company on water bills in the succeeding months.

(b) For each temporary service connection for each sprinkling hydrant and for each fire hydrant, the full cost of the installation.

(c) For each irrigation service connection, the full cost of the installation.

4. Service Charge.

(a) For each turning on or shutting off of domestic water, whether by order of consumer or in enforcement of these rules, fifty cents (\$.50).

(b) For the maintenance and repair of irrigation meters or other measuring apparatus owned by consumer, no charge.

(c) For boat hire upon reservoirs, thirty-five cents (\$.35) per hour or any part of an hour.

(d) For fishing permits, fifty-cents (\$.50) per permit.

(e) For telephone rentals on Company's lines, \$3.00 per month.

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The owner of the property shall be responsible for the payment of water bills.

6. Cancellation of Consumers Right to Service.

Irrigation consumers will be charged for maximum amount to which they are entitled, until such amount is decreased by written application of the consumer, or by forfeiture.

Upon written application the claim or portion of claim of an irrigation consumer, may be reduced in whole or in part to the number of miner's inches stated in such application.

Upon non payment of water bills by consumer, forfeiture of right as an irrigation consumer is initiated, and such forfeiture is legally complete upon a delinquency of 10 days in monthly payments, and thereafter in case of partial tender

the Company will reduce the number of miner's inches on its books to such number as may have been paid for in accordance with these regulations, cancelling the remaining miner's inches; and in case of entire default of payment by consumer, the entire number of miner's inches shall be shut off and withheld from the consumer upon the said delinquency of 10 days.

7. Definition - Basis of Irrigation Rate.

This is defined as a maximum demand rate. The consumer is entitled to an average use in one month or a continuous use, to the extent of the miner's inches, comprising his right. He may reach this maximum, but cannot exceed it. He may use less during some months of the year or none at all, but his rate is based on the maximum quantity which the Company is required to be ready to serve. Waste of water, uneconomical use of water and use of water for other than commercial irrigation is not intended under the irrigation rate.

No reduction in irrigation charges will be made for non use of water whether on account of shortage of supply, or due to "turn-off" request of consumer, or other reason.

8. Definition - Minimum Area to Which Irrigation Rate Will Apply.

The following distinction between irrigation and domestic use will be the rule:

The irrigation rate will apply only to tracts of ^{more than} one acre. ~~or more~~ in extent; such acreage to include town lots in one tract where a sufficient number of lots in one tract collectively to make one acre or more under the ownership and control of one consumer, responsible for payment of all charges, irrigation and domestic, upon said tract; provided the lands are cultivated for the purpose of making a livelihood by the

raising of products from such lands for the market.

The use of water in irrigation for ornamental purposes shall be considered domestic use.

9. Appointment of Agent, for Privately Owned Distributing Systems and Private Systems Formerly All or in Part Irrigation Distribution Systems, Provided for.

For purposes of administration and mutual responsibility joint owners of and owners of the right to use water from privately owned pipe lines, having a tap upon the Company's main, may designate an agent, responsible for the payment of water rates, both irrigation and domestic, for all consumers upon said privately owned pipe lines. The Company will thereafter deal only with such authorized agent. The supply of water to such privately owned pipe lines shall be diminished in case of partial payment of all charges, domestic or irrigation, or may be shut off entirely upon said pipe lines, until a sufficient number of domestic consumers have been permanently disconnected or the miner's inches of irrigation consumption have been cancelled by the owner or owners of the privately owned line, to make the water rates adopted herein agree with the monthly payments.

Such agent shall be required to furnish a report in writing to the Company's office on or before the last day of each month, giving the number of consumers using domestic and irrigation water, in the district under his charge during each month.

10. Basis of Measurement of water to Privately Owned Lines.

All water rates to consumers on privately owned lines, are to be based on measurement at point of tapping of Company's mains. Where an agent is not appointed, and the Company collects direct-

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ly from a number of consumers upon a single privately owned line, the loss in distribution on said line is at the charge of the consumers, and shall be distributed pro rata as may be established by custom or by mutual agreement.

11. List of Groups of Consumers, wholly or in part Irrigation Consumers, and the Designated Rates Which Will Apply.

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Consumers on the Lakeview Flume.—
Consumers on the Lakeside Flume.
Consumers on the Hawley Pipe Line.
Consumers on the Hillsdale Flume.
Consumers on the Cresson Flume.

The following consumers on privately owned pipe lines shall be considered as to the collection of rates, to belong under Rule 1 (c) and Rule 2 (a) and 2 (b).

Consumers of the Lemon Grove Mutual Water Company
Consumers of the Helix Mutual Water Company.

12. Irrigation Heads.

The accumulation of water into an irrigation head during any one month will be allowed by the Company, to an extent consistent with equitable management of the system. Accumulation by non use of continuous flow in one month will not be credited to other months. Application for irrigation heads will be made in writing to the Secretary, at least on the 20th of the preceding month. Consumer will then be notified by the Superintendent, to what extent he can comply with the application and he will assign dates.

13. Definition of Miner's Inch.

The words "miner's inch" wherever used in these rules, mean that each miner's inch as measured by this Company, is a flow of water equal to 1,728 cubic feet in every twenty-four hours.

14. Irrigation Management.

The Superintendent will make an equitable distribution of water, and will pro rata the water in times of shortages, and "stoppage" due to maintenance. He is authorized to make such orders and do such things as are necessary to the general operation of the system. He will as far as possible give two days notice of stoppage of water or important changes of quantities allowed.

15. Service Connections.

All connections with the Company's pipe lines and conduits to be made by the Company's agent, or with the consent of the Superintendent.

16. Application for Service Connection, Domestic Water.

Anyone desiring a service connection for domestic water shall make written application at the Company's office and, upon advance payment of water rates of \$10.00, shall be entitled to a 3/4" tap, service pipe and a 5/8" meter, to be located within the curb line, the Company's responsibility ceasing at this point.

17. Application for Service Connection, Irrigation Water.

Any person desiring a connection for irrigation purposes shall apply at the Company's office in writing and agree to defray the actual expense for making said connection, services and installing of meter or other appliances.

All meters, services, etc., to become a part of the property to which they are attached, but are to be kept in repair or replaced by the Company without any charge to the owner of the property.

18. One Irrigation Connection Only, Per Lot.

Each consumer shall be entitled to one connection with the Company's pipe lines or aqueducts for each lot or tract of land, to which this Company agrees to furnish water, any additional connections desired, to be made only with the written approval of the Company's Superintendent, all expenses of material, labor, etc., of such additional connections, to be paid by the consumer. For the purposes of this rule, Mutual Water Companies, or Associations owning their own distributing system, are to be considered as one consumer.

19. Syphon Connections Forbidden.

The Company will not permit the use of a syphon in taking water from any of its conduits.

20. Maintenance of Consumers Pipe Lines.

Consumers shall not in any way - either by conduits originally defective in manner of construction or quality of material therein, or by permitting them to become or remain out of repair, or in any other manner - permit or allow any appreciable waste of the water supplied them, and the Company reserves the right to shut off the water without notice upon repeated or flagrant violation of this rule, until such time as the conditions are remedied.

21. Changes in Metering Apparatus.

The Company reserves the right to regulate and change the

size of the openings, meters or other measuring apparatus, and manner, location and quality of connections made with its mains or aqueducts, provided that all openings shall be sufficiently large to supply, under average pressure, the amount of water to be supplied to each consumer, provided also, that all taps and connections shall, whenever consistent with the proper operation of the system, be located at the most convenient point to the consumer.

22. Orders for Turning on or Turning off Water.

All "turn-on" and "turn-off" orders, and applications for service, to be made at the Company's main office, which will issue the proper order, in writing, to the Superintendent.

23. Order for Discontinuance.

Upon the application of the owner of a building or premises, to have the water shut off, and the payment of fifty cents (\$.50) in advance (See Rule 4 (a)), the Company will record the reading of the meter and shut the water off.

24. Testing Meters.

Any consumer shall have the right to demand that the meter through which water is being furnished be examined and tested by the Company, for the purpose of ascertaining whether or not it is registering correctly the amount of water which is being delivered through it; provided, that when any consumer desires to have said meter so examined and tested, such consumer shall make application therefor in writing to the Company, and shall deposit with the said application the sum of \$1.00.

Upon said application being made it shall be the duty of the Company to cause said meter to be examined and tested for the

purpose of ascertaining whether or not it is registering correctly the water being delivered through it.

If on such an examination and test the meter shall be found to register over three per cent more water than actually passes through it, another meter will be substituted therefor and the fee of One Dollar will be repaid the person making the application.

25. Meter Out of Order.

When a meter is out of order, consumer will be charged the minimum rate, pending replacement or repair of meter.

26. Use of Water Limited to Tract.

No consumer shall be allowed to furnish or use water outside the bounds of the lot or tract upon which this Company has agreed to furnish him.

27. Proper Maintenance of Private Pipes.

All persons taking water shall keep their own service pipes, flumes, ditches, hydrants, stop-cocks and other apparatus in good repair from the Company's mains to the places used, at their own expense.

28. Company's Right of Inspection and Access.

The officers and agents of the Company shall have unrestricted access, at proper hours, to all the premises supplied by the Company, to inspect the supply system, meters or other measuring apparatus, and to see that the rules of the Company regarding the taking, use, or waste of water, are faithfully executed.

29. Unauthorized Regulation of Water Forbidden.

No consumer shall be permitted to turn the water on or off at any connection on this Company's pipe lines or conduits, or open or close any gate or other device for regulating the flow of water, without the permission of the Company's Superintendent, such permission to be given in writing, excepting, in cases of emergency, when permission may be given in person or by telephone.

30. Enforcement of Rules and Penalty.

For the violation of any of the aforesaid rules, the Company reserves the right to turn off the water without notice, and to collect One Dollar from the violator for the turning on of such water (Rule 4) when the matter has been properly adjusted.

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ORDER

The applicants, James A. Murray and Ed Fletcher doing business under the name of Cuyamaca Water Company, a public utility having appropriated water for sale, rental and distribution within the County of San Diego, State of California, having applied to this Commission on the 25th day of June 1912, for an order authorizing them to increase their rates for irrigation and domestic service, and a hearing having been held beginning on the 24th day of August 1912, at which hearing it was stipulated by the applicants that this Commission should fix just and reasonable rates for this utility, and likewise that this Commission should consider and make an order with reference to the service of said utility, and it being fully agreed that all matters pertaining to the rates and service of this utility within the jurisdiction of the Commission are properly before it at said time, and the hearing having been concluded and thereafter on the application of the parties time having been granted for filing briefs, and the case having been finally submitted on the 1st day of March, 1913, and being fully apprised in the premises,

THE COMMISSION HEREBY FINDS AS A FACT that the facilities of the applicants are inadequate, insufficient, unjust and unreasonable to its consumers, and that large, excessive and unreasonable losses occur in the system of these applicants,

THE COMMISSION FURTHER FINDS AS A FACT that in order to furnish the reasonable demands of their present consumers, being those entitled to participate in the public use to which the water in the control of these applicants is appropriated, it will be necessary for these applicants to increase their supply so as to have an increase of 33 1/3% over what they are now able to supply at their consumers' meters.

THE COMMISSION FURTHER FINDS AS A FACT that the applicants have in their control an ample supply of water, if the excessive losses are prevented, to supply the reasonable demands of their consumers and to increase the supply available to them for their

1 USE BY 33 1/3%.

2 THE COMMISSION FURTHER FINDS AS A FACT that the flume of
3 this system, heretofore referred to and described in the Opinion,
4 has entirely passed its useful life and that it should be at once
5 renewed.

6 THE COMMISSION FURTHER FINDS AS A FACT that no new consumers
7 may be served from the system of the applicants under the present
8 condition of the facilities without injuriously withdrawing
9 the supply of the present consumers to which they are entitled,
10 except in the case of domestic consumers and to the extent set out
11 in full in the opinion.

12 THE COMMISSION FURTHER FINDS AS A FACT that the fair value
13 of the property of the applicants devoted to the public use and
14 upon which they would be fully entitled to earn a return provided
15 their system were in adequate condition, is \$352,500.50.

16 THE COMMISSION FURTHER FINDS AS A FACT that while the actual
17 cost of maintenance and operation of the property, as judged by
18 the two preceding years, is \$28,600 per annum, that because of
19 the condition of the system that said amount is excessive, and un-
20 reasonable and that a reasonable annual amount for maintenance of
21 this system is not in excess of \$21,000.00.

22 THE COMMISSION FURTHER FINDS AS A FACT that the proper amount
23 for depreciation to be set aside annually by these applicants is
24 \$21,150.03.

25 THE COMMISSION FURTHER FINDS AS A FACT that \$24,675 per annum
26 is the maximum net earning to which these applicants are entitled
27 under the present condition of their facilities, but we do not find
28 specifically that this is the proper amount but are willing to
29 allow it under all the circumstances for the present.

30 THE COMMISSION FURTHER FINDS AS A FACT that the rate of
25¢ per thousand gallons with a minimum charge of \$1.25 per month,
the applicants to furnish all meters and cost of connection, the
user to furnish pipes upon his premises, is a just and reasonable
rate for domestic consumers other than the La Mesa Mutual Water

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Company.

THE COMMISSION FURTHER FINDS AS A FACT that a rate of 15¢ per thousand gallons with a minimum monthly charge of \$100.00 is a just and reasonable rate to be charged for water to the La Mesa Mutual Water Company.

THE COMMISSION FURTHER FINDS AS A FACT that a rate of \$65.00 per miner's inch per annum is a just and reasonable rate for water delivered to consumers from the flume in the manner described in the opinion.

THE COMMISSION FURTHER FINDS AS A FACT that a rate of \$70.00 per miner's inch per annum is a just and reasonable rate for all present irrigation consumers from this system for whom a rate has not heretofore in this order been fixed.

And basing its order upon the above findings of fact and the further findings set out in the opinion herein,

IT IS HEREBY ORDERED that the applicants herein begin immediately the construction of a flume in lieu of the one now used, which flume shall be of a character satisfactory to this Commission after the plans therefor have been submitted to it, but shall in any event be a closed flume or conduit of suitable material to be determined on the submission of the plans to this Commission; and

IT IS FURTHER ORDERED that within thirty (30) days from the date of this order that the applicants file with this Commission plans and specifications of said flume; and

IT IS FURTHER ORDERED that said applicants take immediate steps to increase the available supply of water so that the same may be increased over the present available supply at least 33 1/3%. While the Commission does not at the present prescribe details with reference thereto its reserves and does not finally determine this question, and in the event that these applicants do not within a reasonable time in the opinion of the Commission begin the construction of other facilities than the ones specifically ordered herein, this particular matter being held open for decision and for the

1 further submission of evidence, will again be considered by this
2 Commission after due notice to the applicants and the parties hereto
3 as required by law; and

4 IT IS FURTHER ORDERED that no additional consumers be added
5 to this system except domestic consumers under the terms hereinbefore
6 in this Opinion and order set out; and

7 IT IS FURTHER ORDERED that the following rates be and they
8 are established as just and reasonable and the only rates to be
9 charged by the applicants herein;

10 (1) For domestic use 25¢ per thousand gallons with a minimum
11 charge of \$1.25 per month, the applicants to furnish meters and cost
12 of installation of all facilities, the consumer to furnish pipes
13 upon his own premises.

14 (2) For water to the La Mesa Mutual Water Company for domestic
15 use within the Town of La Mesa 15¢ per thousand gallons with a minimum
16 charge of \$100.00 per month.

17 (3) For water for irrigation purposes, except domestic purposes
18 incident thereto, taken from the flume as hereinbefore described,
19 \$65.00 per miner's inch per annum.

20 (4) For water for irrigation purposes, except domestic purposes
21 incident thereto, other than that taken from the flume, \$70.00 per
22 miner's inch per annum.

23 All of said rates to be charged under just and reasonable
24 regulations as regards service as the company may adopt and this
25 Commission approve, and shall apply on and after July 1st, 1913.
26 and before such time the applicants shall file with this Commission
27 rates in accordance herewith, and

28 IT IS FURTHER ORDERED that each and every portion of this
29 order is made in contemplation of the performance by the applicants
30 of every other portion thereof, and that this order is not to
be considered as separable, and that no rates other than the ones
that are now being charged by these applicants may be charged or
collected, until said applicants have complied with all of the
provisions of this order or shall satisfy this Commission that

1 they are in good faith proceeding to comply therewith.

2 The foregoing opinion and order are hereby approved and
3 ordered filed as the opinion and order of the Railroad Commission
4 of the State of California.

5 Dated at San Francisco, California, this 28th day of
6 March 1913.

7 John M. Eshleman
8 H. D. Loveland
9 Alex Gordon
10 Max Thelan
11 Edwin O. Edgerton

12 Commissioners.

In the Superior Court of the County of San Diego

STATE OF CALIFORNIA

Affidavit of Publication

State of California,
County of San Diego

ss

In the Matter of
Notices of Hearing

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of WILLIAM G. HENSHAW and ED FLETCHER, surviving co-partners, doing business under the firm name and style of the CUYAMACA WATER COMPANY, for an order authorizing and permitting an increase in the rentals, tolls and charges for water furnished by them and service rendered by them in furnishing water in the County of San Diego, State of California. APPLICATION No. 8451.

NOTICE OF HEARING

NOTICE IS HEREBY GIVEN that this Company has made application to the Railroad Commission for authority to increase the rentals, tolls and charges for water furnished and service rendered by them in furnishing water in the County of San Diego, State of California. The Commission has set a hearing in said matter before Commissioner Martin on Tuesday, February 6, 1923, at 2:00 p. m. in the Federal Building, at San Diego, California and has directed that we notify all of our consumers of the time and place of said hearing, in order that they may appear and be heard, should they so desire.

CUYAMACA WATER COMPANY,
LOU B. MATHEWS, Secretary.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of WILLIAM G. HENSHAW and ED FLETCHER, surviving co-partners, doing business under the firm name and style of the CUYAMACA WATER COMPANY, for an order authorizing and permitting an increase in the rentals, tolls and charges for water furnished by them and service rendered by them in furnishing water in the County of San Diego, State of California. APPLICATION No. 8757.

NOTICE OF HEARING

NOTICE IS HEREBY GIVEN that the Railroad Commission of the State of California has set a hearing of the above entitled matter before Commissioner Martin on Tuesday, February 6, 1923, at 2:00 p. m. in the Federal Building, at San Diego, California, and has directed that we notify all of our consumers of the time and place of said hearing, in order that they may appear and be heard, should they so desire.

ROY O. AKERS, being duly sworn,

says that he is a citizen of the United States and of said State, over eighteen years of age, and not interested as a party or otherwise in the above named Notices

and was at the time the publisher of THE EAST SAN DIEGO PRESS, a newspaper of general circulation, printed and published weekly at the City of East San Diego, in the above named County and State; that as such publisher he has charge of all the advertisements published in said newspaper. That the Notices of Hearing of which the annexed clipping is a printed copy, has been published one consecutive times in said newspaper and for the period of one week from the 2nd day of February 1923 to the day of 19 inclusive; to-wit: upon the 2nd days of February 1923 the days of 19 and the days of 19 and that said publication was made in the newspaper proper, and not in a supplement.

Roy O. Akers

Subscribed and sworn to before me, this 28th day of February, A. D. 1923

day of February, A. D. 1923

Frankie G. Picher

Notary Public in and for said County.

CUYAMACA WATER COMPANY

SUCCESSORS TO
THE SAN DIEGO FLUME COMPANY
OFFICE: FLETCHER BUILDING
916 EIGHTH ST., BET. BROADWAY AND E
P. O. BOX 1412

ED. FLETCHER, MANAGER
F. M. FAUDE, ASST. MANAGER
LOU B. MATHEWS, SECRETARY
C. HARRITT, SUPERINTENDENT

not sent

SAN DIEGO, CALIFORNIA, May 22, 1916

To the Honorable Members
of the State Railroad Commission,
833 Market St.,
San Francisco, Calif.

Gentlemen:

CUYAMACA WATER CO. FILE No. 142
DO NOT REMOVE ANY LETTER FROM THIS FILE.

The owners of the Cuyamaca Water Co. feel that they have been unjustly and unfairly treated in the numerous decisions of President Max Thelen of the State Railroad Commission, both as regards the value placed upon our system and the refusal of President Thelen, several times, to give us increased rates, although we have invested, including interest at 7%, \$411,600 in cash in the development of our system since the State Railroad Commission established rates on the basis of the valuation of our system as of June 1, 1912.

During the year 1915 we furnished a full supply of water to our consumers, thereby making our system 100% efficient, and we have in our reservoirs now enough water for a three-years' supply, providing we receive only a normal rainfall the next two years.

Your Honorable Commission in your Decision No. 536 of March 28, 1913, stated that we were entitled to an income of \$66,825.03; but owing to errors in said Decision, our total revenue from our regular consumers, when furnishing a full supply of water, as per terms of said Decision, would amount to approximately \$42,000.

Decision No. 536 of your Commission determined that our

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annual Maintenance and Operation cost was \$28,600, which estimate is entirely too low; and our statement is partially substantiated by the testimony of the engineer for your Commission, Mr. Armstrong, in the hearing on Application No. 2432 (Decision No. 2521) that the total cost of Operation and Maintenance of our system, including the cost of pumping was \$46,278.00, annually, while our books show the actual operation expense as of 1915 to be \$58,716, and much necessary work was left undone owing to lack of funds. To explain part of the discrepancy between Armstrong's figures and the actual expenditures for Maintenance and Operation expense, Armstrong in testimony placed the salary of the writer as Manager at only \$200 per month, while the actual salary was \$300 per month.

Unexpectedly, the City of San Diego needed water from us, and we sold to them during 1914 and 1915 water to the amount of \$50,930.88. However, even with this unexpected increase in sales, we have not, since we owned the system June 1, 1910, to January 1, 1916, taken in even enough money to pay operating expenses, to say nothing of interest on the investment and depreciation.

Referring to Decision No. 2521, ⁱⁿ which a valuation of \$745,000 was placed on our system, President Thelen determined this valuation by finding out how much the Cuyamaca system cost us in cash; how much money we had put into it since the date of purchase, June 1, 1910; and 8% interest on our investment. However, we can show by actual figures that this valuation of \$745,000 hardly gives us back our money invested and 7% interest on our investment.

In making this valuation, President Thelen refused to allow any compensation for services rendered or expenses incurred for five years by James A. Murray, the President and principal owner. Neither did Mr. Thelen allow a dollar for the writer's services given to the company for two years. President Thelen entirely ignored Decision No. 536, made by Ex-President Eshleman, showing the value of our property as of June 1, 1912 for rate fixing purposes to be \$352,500.50. President Thelen being a member of the Commission at the time this Decision was made. Although this amount \$352,500.50 was the value for rate fixing purposes, if President Thelen had added to this amount the actual cash expenditure by the owners of the Cuyamaca Water Company from the date of that decision, plus 7% interest, the valuation of the Cuyamaca system would have been \$802,000 instead of \$745,000.

The State Railroad Commission, however, by its chief engineer in the hearing of Application No. 118 before Ex-President Eshleman, put a valuation on our system of \$483,134. This did not include any value for water rights which the Supreme Court of the United States says must be allowed. If President Thelen, to this valuation of \$483,134, as made by the Commission's Hydraulic Engineer, Mr. P. E. Harroun, had added the actual cash that we have put into the Cuyamaca System since that date, plus 7% interest on our investment, then in that case the valuation of the Cuyamaca System by President Thelen should have been \$960,914.

Prominent engineers of this State have testified under oath at hearings before the Railroad Commission that the value of

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the Cuyamaca Water Company's System, not including any values for water rights, were as follows:

P. E. Harroun, formerly Hydraulic Engineer of The Railroad Commission, in June 1914 -----	\$ 809,022
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Railroad Commission Hydraulic Engineers, in April 1915, testified that the value of the system not including real estate or rights of way was \$663,137. If the value of real estate and rights of way, as found by Ex-President Eshleman, namely, \$166,200, is added, the total becomes ---	829,337
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Fulton Lane, President of The Board of Public Utilities of The City of Los Angeles, in April 1915 -----	1,234,017
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On June 1, 1910, we paid \$150,000 for the system now known as the Cuyamaca Water Company, formerly known as the San Diego Flume Company, the original cost of construction being in excess of \$1,100,000.

President Thelen has seen fit to make the statement that he considers we are bound to sell our system to the La Mesa, Lemon Grove and Spring Valley Irrigation District, and this is his reason for refusing to give us a hearing for increased rates.

Our contention is that President Thelen or the Railroad Commission have no right to take into consideration or to decide whether or not there is any valid contract between the La Mesa Irrigation District and ourselves; that the only duty of the State Railroad Commission is to determine whether or not we are 100% efficient, and, if so, to establish such rates as will take care of our operating expenses, interest on our investment and depreciation. We have not sold our system to the La Mesa Irrigation District

for the following reasons:

- 1st. That the La Mesa Irrigation District has not included certain lands within the boundaries of their district, as per contract.
- 2nd. That they have not secured the approval of Dillon, Thomson & Clay to all the bonds, as per contract.
- 3rd. That there is a suit involving the validity of the District now pending in the Supreme Court, which is a cloud on the title to all the bonds, and we agreed to take bonds in payment.
- 4th. That the time limit, January 1, 1916, within which the La Mesa Irrigation District was given in the contract to take over the Cuyama-ca System, has expired.

We believe that circumstances have been such as to render President Thelen's judgment biased; that President Thelen has been unduly influenced by State Senator Edgar A. Luce, the attorney for the La Mesa Irrigation District.

We consider that a great injustice was done the Cuyamaca Water Company when said President Thelen on February 25, 1916, in San Diego, rejected our application for an increase in rates, and stated to the writer in Court at the time to "Get busy" and bring the owners of the Cuyamaca Water System and the La Mesa Irrigation District together. We claim that President Thelen was entirely outside his jurisdiction in trying to force us to sell to the La Mesa Irrigation District; and that such action tends to destroy the influence and value of the State Railroad Commission.

Even if the contract with the La Mesa Irrigation District were valid, which is not the case, the facts are that the City of San Diego has intervened and is at the present time condemning our system. It means litigation in the Courts for the next five years.

Are we to be compelled to operate our system at a loss for the next five years under the present rates as fixed by the Commission? In good faith, during these hard times the last three years, we have put \$411,600 into the development of the Cuyamaca Water system. We did not ask the Railroad Commission to allow us to sell 6% bonds at 80 or 85, as has often been allowed but put in cash, having absolute faith that we would get a square deal. We think it proper to quote from Theodore Roosevelt, as follows:

"No commerce commission, or railway commission or public utilities commission is worth its salt unless it will stand unflinchingly against any popular clamor which prevents the corporation from getting ample profits, exactly as it stands against the corporation which, having secured ample profits, fails to render proper service to the public, to do justice to its employees, and to act honestly toward all men."

This is President Thelen's home town. The writer does not know that that has anything to do with the treatment we have received, but the facts are as stated.

Since January 1, 1916, owing to serious floods, our system has been damaged to the extent of approximately \$55,000; but, owing to the fact that all other water systems, except ours, in the county, able to supply the City of San Diego with water were put out of business, owing to the floods, we have been able since February 1st to sell water to San Diego to the extent of \$50,845. Now the City is buying no water and we have very little prospect of further sale to the City.

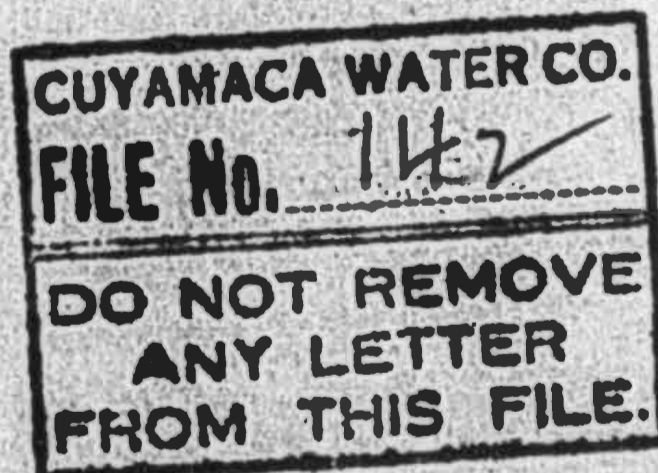
The owners of the Cuyamaca Water System urgently request that either the State Railroad Commission as a whole, or some of its members, not President Thelen, immediately grant our prayer and set a date for a hearing in San Diego to establish rates for the Cuyamaca Water Company, or set a date in San Francisco, when the writer may appear in person and set out in full the reasons why immediate relief should be given this Company.

Yours very truly,

CUYAMACA WATER COMPANY,

Manager.

F:8



August 5, 1913.

Mr. P. E. Harroun,

State Railroad Commission,

San Francisco, Cal.

Dear Sir:-

In conformity with your instructions, I have dissettled the rules of the Cuyamaca Water Co. and I have prepared a revised copy for the final editing of the Commission which is forwarded herewith.

I have inserted in the text the changes which you specifically directed to be made. In addition we submit various revisions of the rules upon which protest has been made and in other cases we ask the Commission to insert time limits which they may decide to be equitable.

In the margin of the copy submitted are letters referring to accompanying notes similarly lettered which state the reason for the change submitted.

In conclusion we beg to say that these rules have been written with the point constantly in view that the most of the minor decisions as to the classification of the consumers have to be made by the Company's Superintendent and accounting department upon examination of the Consumer's premises and consultation with him and that a clearly written rule which is just is the surest way to avoid further misunderstanding as to what the rates really mean.

R R Comm. #2
Aug. 3, 1913.

The Company therefore urges that various subjects which they have purposely brought into the rules for the purpose of discussion and decision, some of which being the subject of protest, are best decided at this time when a complete revision of the classification is to take place rather than that they should be omitted and subject the operating department to the uncertainties which have heretofore existed.

Respectfully,

OUYAMACA WATER COMPANY,

By

2nd Set of Rules
later modified by order.

Rates and Rules
of the
Cuyamaca Water Company
San Diego, California

□

Filed with State Railroad Commission
June 26, 1913.

□

August 4, 1913.

Supersedes Rules published
June 26, 1913.

SECRETARY—LOU B. MATHEWS

Office, 916 Eighth Street, San Diego, Calif.
Hours, 9 a. m. to 5 p. m.
Phones, Sunset, Main 5345; Home 6016.

SUPERINTENDENT—C. HARRITT

La Mesa, California
Residence, Eucalyptus Dam
Home Phone, La Mesa 28-71

Water Rates

The authority for the establishment of these rates rests with the State Railroad Commission and such portions of Decision No. 539, dated March 28th, 1913, as are pertinent, are reprinted herewith:

"IT IS FURTHER ORDERED that the following rates be and they are established as just and reasonable and the only rates to be charged by the applicants herein.

(1) For domestic use 25 cents per thousand gallons, with a minimum charge of \$1.25 per month, the applicants to furnish meters and cost of installation of all facilities, the consumer to furnish pipes upon his own premises.

(2) For water to the La Mesa Mutual Water Company for domestic use within the town of La Mesa, 15 cents per thousand gallons, with a minimum charge of \$100.00 per month.

(3) For water for irrigation purposes, except domestic purposes incident thereto, taken from the flume as hereinbefore described, \$65.00 per miner's inch per annum.

(4) For water for irrigation purposes, except domestic purposes incident thereto, other than that taken from the flume, \$70.00 per miner's inch per annum.

All of said rates to be charged under just and reasonable regulations as regards service as the company may adopt and this Commission approve, and shall apply on and after July 1st, 1913, and before such time the applicants shall file with this Commission rates in accordance herewith."

The Commission interprets the words in paragraph "(3)" and "(4)," "except domestic purposes incident thereto," to mean "including domestic purposes incident to irrigation purposes."

Adopted Rates

In conformity with the above decision the following schedule is adopted by the Cuyamaca Water Company, to become effective July 1st, 1913:

1. Irrigation Rates.

(a) For Indians on the El Capitan Reservation; no charge.

(b) For consumers upon the flume; \$5.40 per month per miner's inch maximum demand.

(c) For consumers upon the Distributing System (West of Eucalyptus Dam); \$5.85 per month per miner's inch maximum demand.

~~(d) For surplus flood water for irrigation purposes to present actual consumers, when adequacy of the system is over 100%; eight cents (\$.08) per 100 cubic feet.~~

2. Domestic Rates.

(a) All water used by irrigation consumers for domestic purposes incident to irrigation purposes are to be considered as part of the irrigation supply and no additional charge shall be made for the domestic character of such use, ~~except~~

that the minimum monthly charge to any irrigation consumer also using water for domestic purposes shall be \$1.25 when tap is upon the Company's mains, and 75 cents when tap is upon privately owned lines.

(b) For each isolated building where water is piped from irrigation conduits and ~~used~~ not for purposes incident to irrigation purposes, but distinct therefrom, such as dwellings occupying one acre or less in one ownership or tenancy, schools, stores, blacksmith shops and livery stables, a monthly rate of \$1.25.

Commit

(a)

Watch for any change in Rule 8

4

~~(c) For all metered consumers (except La Mesa Mutual Water Co.); 18 3/4 cents per 100 cubic feet, with a minimum monthly rate of \$1.25 for 667 cubic feet or less.~~

(c) For all metered consumers (except La Mesa Mutual Water Co. and Pacific Building Co.); 18 3/4 cents per 100 cubic feet, with a minimum monthly rate of \$1.25 for 667 cubic feet or less.

(d) For all unmetered consumers having taps on the Company's mains; a monthly rate of \$1.25.

~~(e) For the La Mesa Mutual Water Company; 11 cents per 100 cubic feet with a minimum monthly rate of \$100.00.~~

(e) For the La Mesa Mutual Water Company; 11 1/5 cents per 100 cubic feet with a minimum monthly rate of \$100.00.

(f) For street construction; 18 3/4 cents per 100 cubic feet with a minimum monthly rate of \$1.25 for each service tap, to each contractor for one service tap or group of taps used upon the same work.

~~(g) For each sprinkling hydrant, 18 3/4 cents per 100 cubic feet with a minimum monthly rate for 1 service tap \$2.00; for 2" service tap \$2.50 and for 3" service tap \$3.50.~~

(g) For each sprinkling hydrant; 18 3/4 cents per 100 cubic feet with a minimum monthly rate for each service tap of \$1.25.

~~(h) For each fire hydrant \$3.00 per month.~~

(h) For Pacific Building Company; 13 1/2 cents per 100 cubic feet ^{with} a minimum monthly charge of ^{omit} (b)

3. Charges for New Services.

(a) For each new permanent 3/4" service connection no charge, but an advance payment of \$10.00 to accompany application, which is to be credited by the Company on water bills in the succeeding months.

(b) For each temporary service connection for each sprinkling hydrant ^{omit} and for each fire hydrant, the full cost of the installation, which is to be credited by the Company on water bills in the succeeding months.

(c) For each irrigation service connection, the full cost of installation, which is to be credited by the Company on water bills in the succeeding months. ^{step}

4. Service Charge.

(a) For each turning on or shutting off of domestic water, ~~whether by order or~~

~~consumer~~ or in enforcement of these rules, fifty cents (\$.50).

(b) For the maintenance and repair of irrigation meters or other measuring apparatus owned by consumer, no charge.

~~(c) For boat hire upon reservoirs, thirty-five cents (0.35) per hour or any part of an hour.~~

~~(d) For fishing permits, fifty cents (\$.50) per permit.~~

~~(e) For telephone rentals on Company's lines, \$3.00 per month.~~

5. Payment of Water Bills.

All water bills are due on the 1st day of the month and payable at the office of the Company, 916 8th St., San Diego, Cal. If not paid on or before the tenth day of the month, the account becomes delinquent and a penalty of 25 cents shall be added to the bill.

If the total amount of the bill including the penalty is not paid on or before the 20th day of the month, the Superintendent may cause the water to be shut off from the consumer, until payment in advance for the succeeding month, including service charges has been made, and said advance payment shall be required until all arrears shall have been paid. The amount of such monthly advance charges shall be established by the superintendent from former amounts used.

The owner of the property shall be responsible for the payment of water bills.

Omit

6. Cancellation of Consumer's Right to Service.

Irrigation consumers will be charged for maximum amount to which they are entitled, until such amount is decreased by written application of the consumer, or by forfeiture.

Upon written application the claim or portion of claim of an irrigation consumer, may be reduced in whole or in part to the number of miner's inches stated in such application.

~~Upon non-payment of water bills by consumer forfeiture of right as an irrigation consumer is initiated, and such forfeiture is legally complete upon a delinquency of 10 days in monthly payments, and thereafter in case of partial tender the Company will reduce the number of miner's inches on its books to such number as may have been paid for in accordance with these regulations, cancelling the remaining miner's inches; and in case of entire default of payment by consumer, the entire number of miner's inches shall be shut off and withheld from the consumer upon the said delinquency of 10 days.~~

(C)

Upon the failure of any consumer of water for irrigation purposes to pay for such water or water used for irrigation within 10 days after the bills or charges therefor become due and payable under these rules, the use of such water and the right to the same and to the use thereof by such consumer shall be deemed and considered to have been abandoned and given up by him and thereafter he shall have no right to any of such water or any water or to purchase or take water for irrigation ^{by reason of} on account of having previously used water for irrigation purposes and his right to demand or take water from said system for irrigation shall be the same as though he had never taken or used water for the irrigation of his land and he shall occupy the same relation to the Company as he would have occupied had he never taken water for irrigation purposes and as though water had never been delivered to him for such purpose.

In case of continuous non-use of water for irrigation and of tender of payment for future use, the Company shall not be required to hold out of service water for a longer period than years, to supply any demand for which said tender is made.

7. Definition—Basis of Irrigation Rate.

This is defined as a maximum demand rate. The consumer is entitled to an average use in one month or a continuous use, to the extent of the miner's inches, comprising his right. He may reach this maximum, but cannot exceed it. He may use less during some months of the year or none at all, but his rate is based on the maximum quantity which the Company is required to be ready to serve. Waste of water, uneconomical use of water and use

of water for other than commercial irrigation is not intended under the irrigation rate.

No reduction in irrigation charges will be made for non-use of water whether on account of shortage of supply, or due to "turn-off" request of consumer, or other reason.

H. Definition—Minimum Area to Which Irrigation Rate Will Apply.

The following distinction between irrigation and domestic use will be the rule. The irrigation rate will apply only ~~to tracts of one acre or more in extent;~~

to tracts of 1/2 -acre or more in extent; (d)

such acreage to include town lots in one tract where a sufficient number of lots in one tract collectively to make one acre or more under the ownership and control of one consumer responsible for payment of all charges, irrigation and domestic, upon said tract; provided the lands are cultivated for the purpose of making a livelihood by the raising of products from such lands for the market.

The use of water in irrigation for ornamental purposes shall be considered domestic use.

~~Appointment of Agent for Privately Owned Distributing Systems and Private Systems Formerly All or in Part Irrigation Distribution Systems, Provided for.~~

For purposes of administration and mutual responsibility joint owners of and owners of the right to use water from privately owned pipe lines, having a tap upon the Company's main, may designate an agent, responsible for the payment of water rates, both irrigation and domestic, for all

consumers upon said privately owned pipe lines. The Company will thereafter deal only with such authorized agent. The supply of water to such privately owned pipe lines shall be diminished in case of partial payment of all charges, domestic or irrigation, or may be shut off entirely upon said pipe lines, until a sufficient number of domestic consumers have been permanently disconnected or the miner's inches of irrigation consumption have been cancelled by the owner or owners of the privately owned line, to make the water rates adopted herein agree with the monthly payments.

Such agent shall be required to furnish a report in writing to the Company's office on or before the last day of each month, giving the number of consumers using domestic and irrigation water, in the district under his charge during each month.

(Rule 9, Rewritten as rule "8 1/2" and "9".)

**8½. GROUP OF CONSUMERS UPON PRIVATELY OWNED PIPE LINES,
WHERE THE COMPANY COLLECTS DIRECTLY FROM INDIVIDUAL
CONSUMERS.**

The rates will be ascertained in accordance with these rules. In case of default of payment of charges, irrigation or domestic, by one or more consumers of a group, the supply to such privately owned pipe line shall be diminished at the point of tapping of the Company's mains, to make the water rates adopted herein agree with the total of the monthly payments actually paid. (f)

9. Appointment of Agent, for Privately Owned Distributing Systems and Private Systems Formerly All or in Part Irrigation Distribution Systems, Provided for.

For purposes of administration and mutual responsibility joint owners of and owners of the right to use water from privately owned pipe lines, having a tap upon the Company's main, may designate an agent, responsible for the payment of water rates, both irrigation and domestic, for all

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consumers upon said privately owned pipe lines. The Company will thereafter deal only with such authorized agent. The supply of water to such privately owned pipe lines shall be diminished in case of partial payment of all charges, domestic or irrigation, ~~or may be shut off entirely upon said pipe lines, with a sufficient number of domestic consumers have been permanently disconnected or the minor's inches of irrigation consumption have been cancelled by the owner or owners of the privately owned line,~~ to make the water rates adopted herein agree with the monthly payments.

Such agent shall be required to furnish a report in writing to the Company's office on or before the last day of each month, giving the number of consumers using domestic and irrigation water, in the district under his charge during each month.

10. Basis of Measurement of Water to Privately Owned Lines.

All water rates to consumers on privately owned lines, are to be based on measurement at point of tapping of Company's mains. Where an agent is not appointed, and the Company collects directly from a number of consumers upon a single privately owned line, the loss in distribution on said line is at the charge of the consumers, and shall be distributed pro rata as may be established by custom or by mutual agreement.

11. List of Groups of Consumers, Wholly or in Part Irrigation Consumers, and the Designated Rates Which Will Apply.

The following services, either directly taken from the Company's Flume or by

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Privately Owned Distribution Systems, shall be considered, as to the collection of rates, to belong under Rule 1 (b) and Rule 2 (a) and 2 (b).

Consumers on the Company's Main Flume.

Consumers on the Lakeview Flume.

Consumers on the Lakeside Flume.

Consumers on the Hawley Pipe Line.

Consumers on the Hillsdale Flume.

Consumers on the Cresson Flume.

The following consumers on privately owned pipe lines shall be considered as to the collection of rates, to belong under Rule 1 (c) and Rule 2 (a) and 2 (b).

Consumers of the Lemon Grove Mutual Water Company.

Consumers of the Helix Mutual Water Company.

12. Irrigation Heads.

The accumulation of water into an irrigation head during any one month will be allowed by the Company, to an extent consistent with equitable management of the system. Accumulation by non-use of continuous flow in one month will not be credited to other months. Application for irrigation heads will be made in writing to the Secretary, at least on the 20th of the preceding month. Consumer will then be notified by the Superintendent, to what extent he can comply with the application and he will assign dates.

13. Definition of Miner's Inch.

The words "miner's inch" wherever used in these rules, mean that each miner's inch as measured by this Company, is a flow of water equal to 1,728 cubic feet in every twenty-four hours.

14. Irrigation Management.

The Superintendent will make an equitable distribution of water, and will prorate the water in times of shortages, and "stoppage" due to maintenance. He is authorized to make such orders and do such things as are necessary to the general operation of the system. He will, as far as possible, give two days' notice of stoppage of water or important changes of quantities allowed.

15. Service Connections.

All connections with the Company's pipe lines and conduits to be made by the Company's agent, or with the consent of the Superintendent.

16. Application for Service Connection, Domestic Water.

Anyone desiring a service connection for domestic water shall make written application at the Company's office and, upon advance payment of water rates of \$10.00, shall be entitled to a $\frac{1}{2}$ " tap service pipe and a $\frac{1}{2}$ " meter, to be located within the curb line, the Company's responsibility ceasing at this point.

17. Application for Service Connection, Irrigation Water.

~~Any person desiring a connection for irrigation purposes shall apply at the Company's office in writing and agree to defray the actual expense for making said connection, services and installing of meter or other appliances.~~

~~All meters, services, etc. to become a part of the property to which they are attached, but are to be kept in repair or replaced by the Company without any charge to the owner of the property.~~

Any irrigation consumer desiring a connection for irrigation purposes, shall apply at the Company's office and pay in advance the actual expense of making said connection, services and installing meter or other appliance; said payment to be credited by the Company on water bills in the succeeding months.

All meters, services, etc. now the property of the Consumer remain attached to the property and will be kept in repair or replaced by the Company. To the extent which the Company replaces these meters, services, etc. crediting same upon water bills, the Company becomes the owner of this apparatus.

The Company retains ownership of all apparatus installed at its own expense, or credited upon water bills.

18. One Irrigation Connection Only, Per Lot.

Each consumer shall be entitled to one connection with the Company's pipe lines or aqueducts for each lot or tract of land to which this Company agrees to furnish water, any additional connections desired, to be made only with the written approval of the Company's Superintendent, all expenses of material, labor, etc., of such additional connections, to be paid by the consumer. For the purpose of this rule, Mutual Water Companies, or Associations owning their own distributing system, are to be considered as one consumer.

19. Syphon Connections Forbidden.

The Company will not permit the use of a syphon in taking water from any of its conduits.

20. Maintenance of Consumer's Pipe Lines.

Consumers shall not in any way—either by conduits originally defective in man-

ner of construction or quality of material therein, or by permitting them to become or remain out of repair, or in any other manner—permit or allow any appreciable waste of the water supplied them, and the Company reserves the right to shut off the water without notice upon repeated or flagrant violation of this rule, until such time as the conditions are remedied.

21. Changes in Metering Apparatus.

The Company reserves the right to regulate and change the size of the openings, meters or other measuring apparatus, and manner, location and quality of connections made with its mains or aqueducts, provided that all openings shall be sufficiently large to supply, under average pressure, the amount of water to be supplied to each consumer, provided, also, that all taps and connections shall, whenever consistent with the proper operation of the system, be located at the most convenient point to the consumer.

22. Orders for Turning on or Turning off Water.

All "turn-on" and "turn-off" orders, and applications for service, to be made at the Company's main office, which will issue the proper order, in writing, to the Superintendent.

23. Order for Discontinuance.

Upon the application of the owner of a building or premises, to have the water shut off, ~~and the payment of fifty cents~~ ~~(~~50~~) in advance, (See Rule 22(a)), the~~

Company will record the reading of the meter and shut the water off.

24. Testing Meters.

Any consumer shall have the right to demand that the meter through which water is being furnished be examined and tested by the Company, for the purpose of ascertaining whether or not it is registering correctly the amount of water which is being delivered through it; provided, that when any consumer desires to have said meter so examined and tested, such consumer shall make application therefor in writing to the Company, and shall deposit with the said application the sum of \$1.00.

Upon said application being made it shall be the duty of the Company to cause said meter to be examined and tested for the purpose of ascertaining whether or not it is registering correctly the water being delivered through it.

If on such an examination and test the meter shall be found to register over three per cent. more water than actually passes through it, another meter will be substituted therefor and the fee of One Dollar will be repaid the person making the application.

25. Meter Out of Order.

When a meter is out of order, consumer will be charged the minimum rate, pending replacement or repair of meter.

26. Use of Water Limited to Tract.

No consumer shall be allowed to furnish or use water outside the bounds of the lot

or tract upon which this Company has agreed to furnish him.

27. Proper Maintenance of Private Pipes.

All persons taking water shall keep their own service pipes, flumes, ditches, hydrants, stop-cocks and other apparatus in good repair from the Company's mains to the places used, at their own expense.

28. Company's Right of Inspection and Access.

The officers and agents of the Company shall have unrestricted access, at proper hours, to all the premises supplied by the Company, to inspect the supply system, meters or other measuring apparatus, and to see that the rules of the Company regarding the taking, use, or waste of water, are faithfully executed.

29. Unauthorized Regulation of Water Forbidden.

No consumer shall be permitted to turn the water on or off at any connection on this Company's pipe lines or conduits, or open or close any gate or other device for regulating the flow of water, without the permission of the Company's Superintendent, such permission to be given in writing, excepting, in cases of emergency, when permission may be given in person or by telephone.

30. Enforcement of Rules and Penalty.

For the violation of any of the aforesaid rules, the Company reserves the right to turn off the water without notice, and to collect One Dollar from the violator for turning on of such water (Rule 4) when the matter has been properly adjusted.

NOTES.

Accompanying Revised

Rules

of

Cuyamaca Water Company.

Note (a).

This is introduced as a suggestion to answer the protest of Harris & Crouch representing Kensington Park and Normal Heights. The suggestion is made by Mr. Harritt the Company's Superintendent that a minimum rate be made to apply to a large class of subdivided irrigation water rights of very small amounts ~~also~~ using domestic water, constituting the majority of the protestants against the new rates. They occupy city lots from one-quarter to one-half and three-quarters of an acre and anywhere else would be considered suburban domestic consumer. The argument is that such a flat rate as suggested will settle a large part of the Superintendent's difficulties as it is almost a hopeless task to decide whether such tracts are legitimately irrigation tracts since they are located upon former orchards, but ~~have nearly if not entirely lost their orchard purpose.~~

To illustrate the absurdity of subdivision of water rights, we have the case of a claimant to 7/180 miner's inch.

On the other hand, if the irrigation is sufficiently genuine to require over \$1.25 per month of water at the irrigation rate there is no hardship involved.

Note (b).

Under Rule 2, Paragraph (h), the Pacific Building Company rate of 18 cents per thousand gallons as decided on rehearing, is introduced. We ask the Commission to insert a minimum monthly charge, which we suggest should be \$100.00.

Note (c).

The third paragraph of Rule 6, has been objected to. The Company's attorney Mr. A. H. Sweet, has suggested the two paragraphs given as a substitute and if the Commission desires will present a brief in support of these paragraphs. The purpose of these paragraphs is to give the accounting department a definite instruction as to how to handle hopelessly delinquent accounts and to clear the books of dead accounts.

Note (d).

**Statement of Company's position regarding Rule 7,
Second paragraph - to which objection is made.**

By W. S. Post, Engr.

The Commission's rates, effective July 1, 1913, are based upon an adequacy of 75%. The Company understands that pending the reconstruction of the flume and delivery of full supply, it is to maintain an average adequacy of 75% and receive \$65.00 and \$70.00 per inch of consumers right.

We think that this position is borne out by the computation of revenue in the Decision, Page 61. This page is restated in tabular form as follows:

R. R. Commission's Estimate of Revenue.

<u>Inches</u>		<u>Old Company Rate per inch per annum</u>	<u>Total Inches</u>	<u>Inches as per Comm. Report</u>	<u>Revenue Increase as per R. R. Comm.</u>	<u>Revenue Decrease as per R. R. Comm.</u>
56.51	Main Flume Consumers	\$65.00	56.51	56.51	-	-
58.25	" " "	60.00				
20.00	Lakeside " "	60.00				
20.00	Hawley " "	60.00				
9.75	Hillsdale " "	60.00				
11.00	Cresson " "	60.00	124.00	108.50		
5.50	Main " "	30.00	5.50			
	Entire " Line Domestic.					
47.645	Lemon Grove Irrig. Consumers	60.00				
1.00	Do Domestic	60.00				\$1267.50
34.00	Spring Valley Irrig. Do Domestic	60.00				
27.75	East of Stand Pipe Irrig. Do Domestic	60.00				
18.18	West of Stand Pipe Irrig. Do Domestic	60.00	128.575	145.00		\$725.00
1.00	East of Stand Pipe Consumers	45.00				
2.62	East of Do	45.00	3.62	3.62		90.50
37.50	East of Stand Pipe	30.00				
23.53	West of Stand Pipe	30.00	61.03	67.83		\$2713.20
.16	East of Stand Pipe	72.00	.16	.16		
2.25	Levi Chase	88.60	2.25	2.25		30.00
20.00	La mesa Mut W Co. Dom	284.00	20.00	20.00		\$5000.00
14.50	El Cerrito W Co Irrig	30.00	14.50	14.50		\$16711.50
9.875	Pacific Bldg Co. Dom.	60.00	9.875	9.875		\$11084.80
5.00	Western Inv. Co. (Teralta)					\$4730.00

Errors		\$42322.50	
			11.00
			41.00
			41.00
Former Revenue --	\$34,538.35	\$42381.50	
Total Earnings Allowed -----	\$66,819.85		

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The Miner's Inches listed in this calculation of revenue agree with the list of water right contracts furnished in the original petition of Murray & Fletcher as schedule "A", which is repeated herewith:

SCHEDULE "A".

SUMMARY OF PERPETUAL WATER RIGHT CONTRACTS.

2.25	Inches at \$200.00 per annum, Special
9.875	Inches at \$600.00 per annum, Special
14.50	Inches at 5¢ per 1000 Gallons for quantity used, monthly minimum charge \$36.25
20.00	Inches at 6¢ per 1000 gallons for quantity used, monthly minimum charge \$48.00
67.33	Inches at \$30.00 per inch per annum
3.62	Inches at \$45.00 per inch per annum
253.835	Inches at \$60.00 per inch per annum
56.51	Inches at \$65.00 per inch per annum
<u>.16</u>	<u>Inches at \$72.00 per inch per annum</u>
428.080	Inches Total.

The appraised valuation of the System by the Commission's Engineer, the operating expenses and the depreciation and the interest earnings were penalized by the Commission to the extent of one-fourth for the main reason of inadequacy, ^{The system} which was admitted to be an average of only seventy-five percent adequacy.

Therefore, to allow a rebate to irrigation consumers for quantities less than one-hundred percent adequacy upon an irrigation rate fixed upon an adequacy of seventy-five percent is imposing a double penalty upon the Company and is unjust and not in accord with the decision.

If this matter must be analyzed in detail, it would appear that the theoretically correct basis would be to allow a rebate for water not furnished below an adequacy of seventy-five percent to the irrigation consumer; to allow an additional excess charge to the Company for all water furnished above an adequacy of seventy-five percent. The Company however, submits that this sort of accounting will lead to a hopeless muddle both on the books and in the minds of consumers and that this is not a volume rate such as so many cents per thousand gallons, but a maximum demand rate and that the maximum demand one-hundred percent adequacy has been maintained for four and one-half months in this year 1913. On the program of water use submitted to Mr. Harroun for the remainder of the season, the supply for 1913 will be as follows:

5½ months	100% Adequacy
2½ months	50% Adequacy
4 months	25% Adequacy
Average Adequacy	64%

It is submitted that if the principal of rebates below one-hundred percent is adopted, that the original calculation of Miner's Inches and rates of the Commission should first be rewritten by reducing the "Contract Miner's Inches" twenty-five percent, requiring to secure the revenue there allowed, an increase of the rates for irrigation by thirty-three percent.

To sum up, a rebate rule as proposed would introduce;

1. A double penalty.

2. The Irrigation rate is a maximum demand rate and consists of the readiness of the utility to supply a maximum quantity, if it has it. Otherwise, it would be far simpler to go at once "on a "volume" rate, say two cents per thousand gallons."

Note (e)

Rule 8 is subject of discussion in respect of the exact minimum area to which the irrigation rate will apply. We have proposed one acre or more as this minimum, accepting the practice of the City of San Diego. In fact the rule as proposed is taken almost verbatim from the rules of the City of San Diego, see page 3 of San Diego Rules attached.

We strongly urge that one acre rather than a half acre is more nearly the practical limit of a farm and that anything less than this should be classified as a suburban residence.

In this connection Mr. Harroun requested a report on the number of consumers owning lots from one-half to one acre, which is herewith submitted.

**Rules & Rates
of the
Department of
Water
City of San
Diego, Cal.**

**Ordinance No 4717
Adopted April,
24 1912.**

Estimate of Consumers owning 1/2 to 1 acre lots.

La Mesa Mutual Co. has a wholesale rate on 20 M. I. eliminated from this census (being wholesale 15¢ per 1000 Gal.)

La Mesa Mutual water Co. however acts as carrier to the following book consumers whose use ~~is~~ is domestic, but who originally held irrigation rights.

No. of Real Consumers	Water in the Name of	M.I. Right	No. Of Lots	Acreage Lots
4	F. M. Oliver	1/4		.30
11	C. C. Park	1/4		.30
8	W. L. Maxwell	1/4	26	.20
14	Park & Grable	1/4	24	.17
1	F. E. Brown	1/12		.18
1	H. C. Starritt	1/12	1	.18
5	S. C. Grable	1/4	7	.40
13	S. C. Grable	1/4	24	.18
3	M. L. Kuntson	1/4	18	.60
13	C. C. Park	3/4	30	.50
6	C. R. Bridges	1/4	10 acres subdivided	.50

La Mesa Mutual Water Co. also acts as carrier for 1 irrigation consumer, viz. S. C. Grable, 1/4 in., area 7 acres.

On the Company's Mains.

10 small consumers of slightly more than 1 acre holding irrigation rights, would not be affected by the rule limiting irrigation to 1 acre or more, as drafted.

On Tracts Abutting on the Company's Mains.

The following groups of consumers each owning 1/4 acre to 1 acre.

No. of Real Consumers.	Water in Name of	M.I. Right	No. of lots	
4	Union Title & Trust Co			Lot 73-13.80 acres LaM.
	Ed Fletcher, C.C. Park & S.C. Grable	1.33	60	" 80- 2.94 " "
14	Clara J. Magruder	.675	16	S. 1/4 Lot 72 "
2	Jessie Wheeler	.50	23	East 5 Acres Lot 71 "
3	C. C. Park			
	C. C. Park	1.475	53	West 1/4 of lot 70 "
		1.00		

<u>Water in Name of</u>	<u>No. of Real Consumers</u>	<u>M.I. Right</u>	<u>Lots</u>	
Park Grable Inv. Co.	3	2.00	75	Lots 55 & 56 La Mesa 10 acres
C. R. Bridges	4	.50	20	

SUMMARY 1/2 ACRE TO 1 ACRE.

Consumers on La Mesa Mutual Water Co. as
 carrier only, but owning no interest
 in La Mesa Mutual Water Co. ----- about 22

On Company's mains ----- about 40

about 66
 ==

Note (f).

Rule 8½, is separated from the center of Rule 9 and placed under a separate title. The Rules 8½ and 9 are concerned with a very difficult feature of the administration of this System due to a considerable number of privately owned lines, originally irrigation lines, but now partially or wholly in domestic distribution. The status of these lines will undoubtedly require much consideration and perhaps cannot be settled at this time. What is required is a workable rule for the operating department which will cause the least friction, as a *modus vivendi*. At the same time there must be a means to discipline the consumer on a privately owned line who refuses to pay his rates. It has been suggested that it is customary with other companies to enter upon such a private pipe line and cut off the offending consumer. However, this is considered entirely impracticable on account of the animosities which such an act would arouse in the present state of feeling.

This view prompted Rule 9 and it is to be hoped that gradually by agreement the Cuyamaca Water Company may become simply a wholesaler to such lines on a basis similar to that of the La Mesa Mutual Water Company, but we are informed that it cannot insist upon such an arrangement.

office copy.

Rates and Rules
of the
Cuyamaca Water Company
San Diego, California

Approved by
~~XXXXXX~~ State Railroad Commission
~~XXXXXX~~
August 27, 1913.

Supersedes rules published
June 26, 1913.

SECRETARY—LOU B. MATHEWS

Office, 916 Eighth Street, San Diego, Calif.
Hours, 9 a. m. to 5 p. m.
Phones, Sunset, Main 5345; Home 6016.

SUPERINTENDENT—C. HARRITT

La Mesa, California
Residence, Eucalyptus Dam
Home Phone, La Mesa 28-71

Water Rates

The authority for the establishment of these rates rests with the State Railroad Commission and such portions of Decision No. 539, dated March 28th, 1913, as are pertinent, are reprinted herewith:

"IT IS FURTHER ORDERED that the following rates be and they are established as just and reasonable and the only rates to be charged by the applicants herein.

(1) For domestic use 25 cents per thousand gallons, with a minimum charge of \$1.25 per month, the applicants to furnish meters and cost of installation of all facilities, the consumer to furnish pipes upon his own premises.

(2) For water to the La Mesa Mutual Water Company for domestic use within the town of La Mesa, 15 cents per thousand gallons, with a minimum charge of \$100.00 per month.

(3) For water for irrigation purposes, except domestic purposes incident thereto, taken from the flume as hereinbefore described, \$65.00 per miner's inch per annum.

(4) For water for irrigation purposes, except domestic purposes incident thereto, other than that taken from the flume, \$70.00 per miner's inch per annum.

All of said rates to be charged under just and reasonable regulations as regards service as the company may adopt and this Commission approve, and shall apply on and after July 1st, 1913, and before such time the applicants shall file with this Commission rates in accordance herewith."

The Commission interprets the words in paragraph "(3)" and "(4)," "except domestic purposes incident thereto," to mean "including domestic purposes incident to irrigation purposes."

The Rules published by the Cuyamaca Water Company, June 26, 1913, were suspended by the Commission's letter dated July 24th. An informal hearing was held on protests, July 30th. Under date of August 19th, the Commission has approved the following rules, which contain the changes ordered by the Commission. These rules were adopted by the Cuyamaca Water Company, August 27th, and supercede previous rules of June 26th, 1913.

Adopted Rates

In conformity with the above decision the following schedule is adopted by the Cuyamaca Water Company, to become effective July 1st, 1913:

1. Irrigation Rates.

(a) For Indians on the El Capitan Reservation; no charge.

(b) For consumers upon the flume; \$5.40 per month per miner's inch maximum demand.

(c) For consumers upon the Distributing System (West of Eucalyptus Dam); \$5.85 per month per miner's inch maximum demand.

2. Domestic Rates.

(a) All water used by irrigation consumers for domestic purposes incident to irrigation purposes are to be considered as part of the irrigation supply and no additional charge shall be made for the domestic character of such use.

(b) For each isolated building where water is piped from irrigation conduits and not for purposes incident to irrigation purposes, but distinct therefrom, such as dwellings occupying one ~~acre~~ ^{1/2} or less, in one ownership or tenancy, schools, stores, blacksmith shops and livery stables, a monthly rate of \$1.25.

1/2 acre.

(c) For all metered consumers (except La Mesa Mutual Water Company and Pacific Building Company); 18 3/4 cents per one-hundred (100) cubic feet, with a minimum monthly rate of \$1.25 for 667 cubic feet or less.

(d) For all unmetered consumers having taps on the Company's mains; a monthly rate of \$1.25.

(e) For the La Mesa Mutual Water Company; 11 1/5 cents per one-hundred (100) cubic feet with a minimum monthly rate of \$100.00.

(f) For street construction; 18 3/4 cents per one-hundred (100) cubic feet with a minimum monthly rate of \$1.25 for each service tap, to each contractor for one service tap or group of taps used upon the same work.

(g) For each sprinkling hydrant; 18 3/4 cents per one-hundred (100) cubic feet with a minimum monthly rate for each service tap of \$1.25.

(h) For Pacific Building Company; 13 1/2 cents per one-hundred (100) cubic feet.

3. CHARGES FOR NEW SERVICES.

(a) For each new permanent 3/4" service connection no charge, but an advance payment of \$10.00 to accompany application, which is to be credited by the Company on water bills in the succeeding months.

(b) For each temporary service connection, for each sprinkling hydrant; the full cost of the installation, which is to be credited by the Company on water bills in the succeeding months.

(c) For each irrigation service connection, the full cost of installation, which is to be credited by the Company on water bills in the succeeding months.

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4. Service Charge.

(a) For each turning on or shutting off of domestic water, ~~whether by order~~

~~consumed~~ or in enforcement of these rules, fifty cents (\$.50).

(b) For the maintenance and repair of irrigation meters or other measuring apparatus owned by consumer, no charge.

5. Payment of Water Bills.

All water bills are due on the 1st day of the month and payable at the office of the Company, 916 8th St., San Diego, Cal. If not paid on or before the tenth day of the month, the account becomes delinquent and a penalty of 25 cents shall be added to the bill.

If the total amount of the bill including the penalty is not paid on or before the 20th day of the month, the Superintendent may cause the water to be shut off from the consumer, until payment in advance for the succeeding month, including service charges has been made, and said advance payment shall be required until all arrears shall have been paid. The amount of such monthly advance charges shall be established by the superintendent from former amounts used.

The owner of the property shall be responsible for the payment of water bills.

6. Cancellation of Consumer's Right to Service.

Irrigation consumers will be charged for maximum amount to which they are entitled, until such amount is decreased by written application of the consumer, or by forfeiture.

Upon written application the claim or portion of claim of an irrigation consumer, may be reduced in whole or in part to the number of miner's inches stated in such application.

Upon failure of any consumer of water for irrigation purposes to pay for such water, or water used for irrigation within one month after the charges therefor become due and payable under these rules; the consumer shall be notified in writing of said delinquency and the amount thereof. Should the bills or charges remain unpaid for four months from date of delinquency the delinquent consumer shall be notified that the use of such water and the right to the same and the use thereof shall be deemed and considered to have been abandoned and given up by him. And thereafter he shall have no right to any such water or any water or to purchase or to take water for irrigation by reason or on account of having previously used water for irrigation purposes, and his right to demand or take water from said system for irrigation shall be the same as though he had never used water for the irrigation of his land; and he shall occupy the same relation to the company as he would have occupied had he never taken water for irrigation purposes; and as though water had never been delivered to him for such purposes. However, if the consumer, within one month after the date of forfeiture, pays the amount due, he shall be reinstated in his original position and the forfeiture shall be deemed to be cancelled. The written notice to the delinquent consumer shall be accompanied by a copy of this rule, to which specific reference shall be made.

7. Definition—Basis of Irrigation Rate.

This is defined as a maximum demand rate. The consumer is entitled to an average use in one month or a continuous use, to the extent of the miner's inches, comprising his right. He may reach this maximum, but cannot exceed it. He may use less during some months of the year or none at all, but his rate is based on the maximum quantity which the Company is required to be ready to serve. Waste of water, uneconomical use of water and use

of water for other than commercial irrigation is not intended under the irrigation rate.

No reduction in irrigation charges will be made except on account of shortage of supply.

8. Definition -- Minimum Area to Which Irrigation Rate Will Apply.

The following distinction between irrigation and domestic use will be the rule:

The irrigation rate will apply only to tracts of one-half (1/2) acre or more in extent; such an acreage to include town lots in one tract where a sufficient number of lots in one tract collectively make one-half (1/2) acre or more, under the ownership and control of one consumer, in cases in which there is not more than one house on said lots, ~~the said consumer being responsible for payment of all charges, irrigation and domestic, upon said tract;~~ provided the lands are cultivated for the purpose of making a livelihood by the raising of products from such lands for the market.

The use of water in irrigation for ornamental purposes shall be considered domestic use.

8. GROUP OF CONSUMERS UPON PRIVATELY OWNED PIPE LINES, WHERE THE COMPANY COLLECTS DIRECTLY FROM INDIVIDUAL CONSUMERS.

The rates will be ascertained in accordance with these rules. In case of default of payment of charges, irrigation or domestic, by one or more consumers of a group, the supply to such privately owned pipe line shall be diminished at the point of tapping of the Company's mains, to make the water rates adopted herein agree with the total of the monthly payments actually paid.

9. Appointment of Agent, for Privately Owned Distributing Systems and Private Systems Formerly All or in Part Irrigation Distribution Systems, Provided for.

For purposes of administration and mutual responsibility joint owners of and owners of the right to use water from privately owned pipe lines, having a tap upon the Company's main, may designate an agent, responsible for the payment of water rates, both irrigation and domestic, for all

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consumers upon said privately owned pipe lines. The Company will thereafter deal only with such authorized agent. The supply of water to such privately owned pipe lines shall be diminished in case of partial payment of all charges, domestic or irrigation, ~~consumers shall be required to~~

to make the water rates adopted herein agree with the monthly payments.

Such agent shall be required to furnish a report in writing to the Company's office on or before the last day of each month, giving the number of consumers using domestic and irrigation water, in the district under his charge during each month.

10. Basis of Measurement of Water to Privately Owned Lines.

All water rates to consumers on privately owned lines, are to be based on measurement at point of tapping of Company's mains. Where an agent is not appointed, and the Company collects directly from a number of consumers upon a single privately owned line, the loss in distribution on said line is at the charge of the consumers; and shall be distributed pro rata as may be established by custom or by mutual agreement.

11. List of Groups of Consumers, Wholly or in Part Irrigation Consumers, and the Designated Rates Which Will Apply.

The following services, either directly taken from the Company's Flume or by

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Privately Owned Distribution Systems, shall be considered, as to the collection of rates, to belong under Rule 1 (b) and Rule 2 (a) and 2 (b).

Consumers on the Company's Main Flume.

Consumers on the Lakeview Flume.

Consumers on the Lakeside Flume.

Consumers on the Hawley Pipe Line.

Consumers on the Hillsdale Flume.

Consumers on the Cresson Flume.

The following consumers on privately owned pipe lines shall be considered as to the collection of rates, to belong under Rule 1 (c) and Rule 2 (a) and 2 (b).

Consumers of the Lemon Grove Mutual Water Company.

Consumers of the Helix Mutual Water Company.

12. Irrigation Heads.

The accumulation of water into an irrigation head during any one month will be allowed by the Company, to an extent consistent with equitable management of the system. Accumulation by non-use of continuous flow in one month will not be credited to other months. Application for irrigation heads will be made in writing to the Secretary, at least on the 20th of the preceding month. Consumer will then be notified by the Superintendent, to what extent he can comply with the application and he will assign dates.

13. Definition of Miner's Inch.

The words "miner's inch" wherever used in these rules, mean that each miner's inch as measured by this Company, is a flow of water equal to 1,728 cubic feet in every twenty-four hours.

14. Irrigation Management.

The Superintendent will make an equitable distribution of water, and will pro rate the water in times of shortages, and "stoppage" due to maintenance. He is authorized to make such orders and do such things as are necessary to the general operation of the system. He will, as far as possible, give two days' notice of stoppage of water or important changes of quantities allowed.

15. Service Connections.

All connections with the Company's pipe lines and conduits to be made by the Company's agent, or with the consent of the Superintendent.

16. Application for Service Connection, Domestic Water.

Anyone desiring a service connection for domestic water shall make written application at the Company's office and, upon advance payment of water rates of \$10.00, shall be entitled to a 1/2" tap service pipe and a 1/2" meter, to be located within the curb line, the Company's responsibility ceasing at this point.

17. APPLICATION FOR SERVICE CONNECTION, IRRIGATION WATER.

Any irrigation consumer desiring a connection for irrigation purposes, shall apply at the Company's office and pay in advance the actual expense of making said connection, services and installing meter or other appliance; said payment to be credited by the Company on water bills in the succeeding months.

All meters, services, etc., now the property of the Consumer remain attached to the property and will be kept in repair or replaced by the Company. To the extent which the Company replaces these meters, services, etc., crediting same upon water bills, the Company becomes the owner of this apparatus.

The Company retains ownership of all apparatus installed at its own expense, or credited upon water bills.

18. One Irrigation Connection Only, Per Lot.

Each consumer shall be entitled to one connection with the Company's pipe lines or aqueducts for each lot or tract of land to which this Company agrees to furnish water, any additional connections desired, to be made only with the written approval of the Company's Superintendent, all expenses of material, labor, etc., of such additional connections, to be paid by the consumer. For the purpose of this rule, Mutual Water Companies, or Associations owning their own distributing system, are to be considered as one consumer.

19. Syphon Connections Forbidden.

The Company will not permit the use of a syphon in taking water from any of its conduits.

20. Maintenance of Consumer's Pipe Lines.

Consumers shall not in any way—either by conduits originally defective in man-

ner of construction or quality of material therein, or by permitting them to become or remain out of repair, or in any other manner—permit or allow any appreciable waste of the water supplied them, and the Company reserves the right to shut off the water without notice upon repeated or flagrant violation of this rule, until such time as the conditions are remedied.

21. Changes in Metering Apparatus.

The Company reserves the right to regulate and change the size of the openings, meters or other measuring apparatus, and manner, location and quality of connections made with its mains or aqueducts, provided that all openings shall be sufficiently large to supply, under average pressure, the amount of water to be supplied to each consumer, provided, also, that all taps and connections shall, whenever consistent with the proper operation of the system, be located at the most convenient point to the consumer.

22. Orders for Turning on or Turning off Water.

All "turn-on" and "turn-off" orders, and applications for service, to be made at the Company's main office, which will issue the proper order, in writing, to the Superintendent.

23. Order for Discontinuance.

Upon the application of the owner of a building or premises, to have the water shut off, ~~and the payment of fifty cents (\$50) in advance, (See Rule 4 (a), the~~

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Company will record the reading of the meter and shut the water off.

24. Testing Meters.

Any consumer shall have the right to demand that the meter through which water is being furnished be examined and tested by the Company, for the purpose of ascertaining whether or not it is registering correctly the amount of water which is being delivered through it; provided, that when any consumer desires to have said meter so examined and tested, such consumer shall make application therefor in writing to the Company, and shall deposit with the said application the sum of \$1.00.

Upon said application being made it shall be the duty of the Company to cause said meter to be examined and tested for the purpose of ascertaining whether or not it is registering correctly the water being delivered through it.

If on such an examination and test the meter shall be found to register over three per cent. more water than actually passes through it, another meter will be substituted therefor and the fee of One Dollar will be repaid the person making the application.

25. Meter Out of Order.

When a meter is out of order, consumer will be charged the minimum rate, pending replacement or repair of meter.

26. Use of Water Limited to Tract.

No consumer shall be allowed to furnish or use water outside the bounds of the lot

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or tract upon which this Company has agreed to furnish him.

27. Proper Maintenance of Private Pipes.

All persons taking water shall keep their own service pipes, flumes, ditches, hydrants, stop-cocks and other apparatus in good repair from the Company's mains to the places used, at their own expense.

28. Company's Right of Inspection and Access.

The officers and agents of the Company shall have unrestricted access, at proper hours, to all the premises supplied by the Company, to inspect the supply system, meters or other measuring apparatus, and to see that the rules of the Company regarding the taking, use, or waste of water, are faithfully executed.

29. Unauthorized Regulation of Water Forbidden.

No consumer shall be permitted to turn the water on or off at any connection on this Company's pipe lines or conduits, or open or close any gate or other device for regulating the flow of water, without the permission of the Company's Superintendent, such permission to be given in writing, excepting, in cases of emergency, when permission may be given in person or by telephone.

30. Enforcement of Rules and Penalty.

For the violation of any of the aforesaid rules, the Company reserves the right to turn off the water without notice, and to collect One Dollar from the violator for turning on of such water (Rule 4) when the matter has been properly adjusted.

BEFORE THE RAILROAD COMMISSION OF THE STATE
OF CALIFORNIA

In the matter of the application of)
James A. Murray and Ed Fletcher for)
an order fixing rates to be charged)
and collected for water furnished and) Application No. 1231.
to be furnished by them and service)
rendered by them in the County of)
San Diego, State of California.)

NOTICE OF HEARING

To --

Mr. James A. Murray,
Monterey, California.

Mr. Ed Fletcher,
San Diego, California,

and their attorney,

A. H. Sweet, Esq.,
Attorney at Law,
San Diego, California.

Board of Supervisors,
County of San Diego,
San Diego, California.

You and each of you are hereby notified that the
Railroad Commission of the State of California has set a hearing
in the above entitled application before Commissioners Eshleman
and Gordon for Tuesday, November 17, 1914, at 2 o'clock p.m.,
in the Federal Court Room, San Diego, California, at which time
and place you may appear and be heard.

By order of the Railroad Commission.

Dated at San Francisco, California,

This 8th day of August, 1914.

(Signed) Charles R. Detrick
Secretary Railroad Commission
State of California.

(SEAL)

Richard G. ...
September 28, 1914.

Mr. Mathews:-

Relative to case #683 of the Commission herewith enclosed, as I understand it we are making no charge excepting under orders of the Commission. Watch this case very carefully and see what their decision is in this case and if it checks up with us. If they give the other fellow the advantage, we want the same privilege.

Ed Fletcher.

EF-BK

Enclos.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

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In the matter of the Practice of)
Water, Gas, Electric and Telephone) Case No. 683.
Utilities Requiring Deposits be-)
fore Rendering Service.)
.....)

INVESTIGATION ON COMMISSION'S
OWN MOTION

IT IS HEREBY ORDERED that the Commission, on its own motion, institute an investigation into the practice of public utilities requiring patrons to make deposits before service will be rendered and that water, gas, electric and telephone utilities within the State of California operating in and serving territory subject, as to the question of service deposits, to the jurisdiction of this Commission within the State of California be and the same are hereby ordered to appear at the office of this Commission in the Commercial Building, in the City and County of San Francisco, State of California, on Monday the 23rd day of November, 1914, at 10 o'clock A. M., before the Commission en banc, to show cause why this Commission should not order said public utilities to revise their practices if it shall appear that public interest and the duty of said public utilities as such to the public demand revision.

AND IT IS FURTHER ORDERED that the Secretary of this Commission be and he is hereby directed to serve upon all public utilities operating in and serving territory subject as to the question of service deposits to the jurisdiction of this Commission a certified copy of this order, accompanied by a notice directing said public utilities to appear before this Commission at the time and place above specified in order to show cause why this Commission

should not order said public utilities to revise their practices if it shall appear that public interest and the duty of said public utilities as such to the public demand revision.

Dated at San Francisco, California, this 23rd day of September, 1914.



John M. Eshleman

H. D. Loveland

Alex Gordon

Max Thelen

Commissioners.

should not order said public utilities to revise their practices if it shall appear that public interest and the duty of said public utilities as such to the public demand revision.

Dated at San Francisco, California, this 23rd day of September, 1914.

John M. Eshleman

H. D. Loveland

Alex Gordon

Max Thelen

Commissioners.



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In the matter of the Practice of)	
Water, Gas, Electric and Telephone)	
Utilities Requiring Deposits before)	Case No. 683.
Rendering Service.)	
.....))	

INVESTIGATION ON THE COMMISSION'S

OWN MOTION

NOTICE OF HEARING

To:

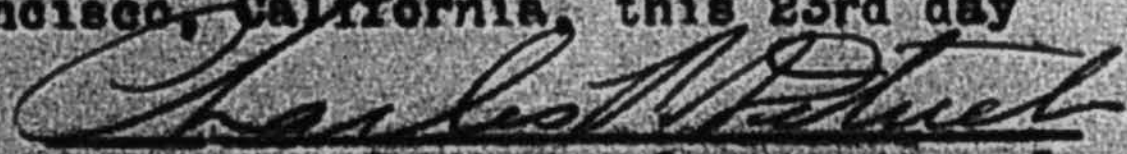
All Water, Gas, Electric and Telephone Utilities operating in and serving territory subject as to service deposits to the jurisdiction of the Railroad Commission of the State of California.

You and each of you are hereby notified that the Railroad Commission of the State of California has set the above entitled case for hearing before the Commission en banc on the 23rd day of November, 1914, at 10 o'clock A. M., in the office of the Commission, Commercial Building, #833 Market Street, San Francisco, California, at which time and place you and each of you are hereby directed to appear and show cause why the Commission should not make an order directing all water, gas, electric and telephone utilities to revise the practice of requiring deposits prior to the rendition of service if it shall appear that public interest and the duty of said public utilities as such to the public demand revision.

And you and each of you are further notified that attached hereto is a certified copy of this Commission's Order instituting the above entitled investigation.

By order of the Railroad Commission.

Dated at San Francisco, California, this 23rd day of September, 1914.



Secretary Railroad Commission of the State of California.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

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In the Matter of the practice of
Water, Gas, Electric and Telephone
utilities requiring deposits before
rendering service.)

Case No. 683.

REQUEST FOR INFORMATION.

To all Water, Gas, Electric and Telephone Utilities:

This investigation covers all charges and deposits demanded by public utilities of the classes above specified as conditions to rendering service, including deposits to guarantee payment of bills cancellation charges, the so-called service connection charges and meter charges, and charges or deposits for extensions.

The first hearing in this matter was held in San Francisco in the office of the Railroad Commission, on November 23, 1914. It was decided that the Railroad Commission would write to each utility a letter specifying the information which the Commission desires to secure in order to enable it to reach its conclusions.

All utilities of the classes above specified which desire to continue any charges or deposit of the character hereinbefore mentioned are accordingly directed to write to the Railroad Commission within twenty days after the receipt of this communication, furnishing in detail the following information:

1. What practice, if any, does your utility pursue to secure the payment of your periodic bills against your consumers, and at what time was this practice instituted?
2. What deposits or charges, if any, does your utility demand for so-called service connections such as the charges of certain water companies for the service connection or the meter or both, and when did your utility first adopt such practice?
3. What practices, if any does your utility pursue with reference to demanding charges or deposits of any kind as conditions

to the construction of extensions, and when was such practice first adopted? Make this explanation full and complete.

4. What other charges or deposits, if any, does your utility make as a condition to rendering service and when were such charges or deposits first demanded?

5. If your utility desires to continue to make any charge or require any deposit of the kind hereinbefore referred to, state the reasons in full in support of your desire, together with the facts, if any, on which you rely in support thereof, and such authorities, if any, as you can furnish on the legal questions, if any, involved.

6. What rule or rules does your utility consider equitable to be adopted with reference to any or all classes of charges or deposits as conditions to service?

This letter and your answer thereto will be considered as a part of the evidence in this case. If you desire to introduce evidence at a formal hearing in addition to supplying the information herein requested, kindly write to the Commission within twenty days, stating that your utility desires such opportunity to be heard and the general character of the evidence which you desire to present.

Dated at San Francisco, California, this 5th day of December, 1914.

RAILROAD COMMISSION OF THE
STATE OF CALIFORNIA

By

Charles F. D. Strick
Secretary.

Ed Fletcher Papers

1870-1955

MSS.81

Box: 57 Folder: 1

**Business Records - Water Companies - Cuyamaca
Water Company - State Railroad Commission
- Rates and rules filed with Commission and
in-house notes re same; notices of hearings**



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