

STATE OF NEW YORK
DEPARTMENT OF PUBLIC SERVICE
STATE DIVISION

October 13, 1933.

Case No. 7812.

IN THE MATTER

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Proceeding on motion of the Commission as to the failure of the Pitkin-Witbeck Realty Company to file a schedule of rates and charges, and as to the service of said company in the furnishing of water in the Town of Guilderland, County of Albany.

HEARING:

Held at Albany, Thursday May 18, 1933.

APPEARANCES:

J. R. Jenkins, 10 Knowles Terrace, Albany, N. Y.,
Chairman of the Water Committee of McKownville Improvement
Association.

John Weiler, 1243 Western Ave., Albany, N. Y., Member of
the Water Committee, McKownville Improvement Association.

Raymond E. Foskott, 11 Glenwood Street, McKownville, N. Y.,
Member of the Water Committee, McKownville Improvement Ass'n.

Homer N. Vanneman, 18 Hillcrest Avenue, Albany, N. Y.,

B. W. Dayton, 1245 Western Avenue, Albany, N. Y.,

John F. Feldman, 10 Glenwood Street, McKownville, N. Y.,

Mrs Dora B. Carnell, 1248 Western Avenue, Albany, N. Y.,

Caroline L. Witbeck, 1443 Western Avenue, Albany, N. Y.,
Co-partner, Pitkin-Witbeck Realty Company

Charles W. Twist, R. D. 1, Albany, N. Y., Pitkin-Witbeck
Realty Company.

Miss A. R. McCarthy, 526 Central Avenue, Albany, N. Y.,
Pitkin-Witbeck Realty Company.

LUNN, Commissioner:

This proceeding is a result of informal complaints made to the Commission by residents of McKownsville, a community southwest of and adjacent to the city of Albany. The water supply of this area is furnished to some 153 consumers by the Pitkin-Witbeck Realty Co., which as a real estate company developed the community and constructed the water works system.

Informal complaints were received on February 2, 1933. They referred to the quality of water and the pressure at which the supply was furnished; particularly, at the higher points where at times of maximum use there was no water at all. The "flat" rate yearly charges are \$18.00 per residence with unlimited use of water. \$5.00 extra is charged for an outside tap for sprinkling and other outside use. There was no complaint against the prices charged for water.

Conditions of service were investigated by our Assistant Hydraulic Engineer, Mr. Austin, who found them to be quite unsatisfactory and substantially the same as described by the complainants. The Company had not filed a schedule of rates in accordance with Public Service Law and repeated efforts to make contact with the officials of the company were unsuccessful. On May 2nd, 1933, the Commission on its own motion instituted proceedings as to the failure of the Pitkin-Witbeck Realty Company to file a schedule of rates and charges, and as to the service of said company in the furnishing of water.

On May 17th, the company filed a schedule of rates and charges.

On May 18th, a hearing was held at which the original complainants testified substantially the same as in the informal complaints. Mr. J. R. Jenkins, Chairman of the Water Committee of the McKownsville

Improvement Association testified that the pressures were poor at all times at certain localities particularly in the easterly part of the community. During the periods of maximum use at some points of higher elevation there was no water. He also said that during the year 1932 a section of 6 inch main was installed and that the cross connections to the side streets were not changed over from the 2 inch pipe which previously supplied the side streets. Investigation proved this to be true.

Mr. John L. Feldman, Chief of the fire department of the McKownsville fire district testified that there were two 6" fire hydrants on the section of 6" line installed in 1932 and one on the 4" line. These were bought by the fire district and installed by the water company without charge. No rent is charged nor paid for the hydrants. The fire district has no hose to fit the hydrants. They depend on a small chemical cart to put out small fires. The Albany fire department is called in case of need.

At the close of the hearing I directed that Mr. Witbeck of the water company and our Engineer, Mr. Austin, work out some plan which would give the residents of McKownsville more satisfactory service. As a result of these conferences the following improvements to the service have been made.

- 1 -- The Company drained out, cleaned out the collecting reservoir from which water is pumped to the concrete storage tank. This eliminates, to a great extent, the objections to the disagreeable odor and sediment in the water which has been a subject of complaint at various times. A six foot fence has been erected between the reservoir and the western turnpike for the purpose of keeping out trespassers.
- 2 New connections have been made in the mains of the system which gives the benefits of the 6" main laid in 1932. This has increased the pressure in the eastern end of the area where the complainants stated the low pressures resulted in poor service.
- 3 The water company has repaired their concrete storage tank

so that it will hold its capacity of 13200 gallons. Due to leaks and cracks it formerly held about one-half of this capacity. This also adds about 7.5 feet to the static pressure head.

- 4 The Company requested permission to amend its rules so as to prohibit the use of water for lawn sprinkling during periods of maximum use. This permission in the form of an amendment to its rules was granted by the Commission on July 27th and was effective August 1, 1933.

The water company has definitely improved its service. The following table shows the typical increases in pressures after the improvements were made.

<u>Location</u>	<u>Before (Feb. 23rd)</u>		<u>After(October 9, 1933)</u>	
	<u>Static</u>	<u>Residual</u>	<u>Static</u>	<u>Residual</u>
#1	18#	4	22	9
#2	15	6	28	8

The Company assures us that further improvements will be carried out next year.

The residents of McKownsville may apply for water service from the City of Albany and the Board of Water Commissioners of Albany have stated that they would entertain such applications. The Water Company has no exclusive franchise to furnish water so it would be possible for the fire district to extend the 8" main, which is a part of the Albany Water System and which now terminates at the Albany City Line, through the McKownsville fire district. Some 6" laterals would have to be installed and the total cost of the work would amount to about \$15,000.00. This would enable the residents to obtain a satisfactory supply of water and fire protection from the new Albany Water System. This was considered by the McKownsville Improvement Association, and the following quotation from a letter to the Commission dated July 26, 1933 and signed by John L. Feldman, President of the Association indicates their attitude.

" Kindly also be advised that at a special meeting of the Officers and the Board of Directors of the McKownsville Improvement Association of McKownsville N. Y., held Tuesday evening July 25, 1933, called together to consider the McKownsville water supply, and after discussing the matter and taking into consideration the improvements under way and in contemplation, it was unanimously voted to continue to use the present water supply furnished by the Pitkin-Witbeck Realty Co."

Inasmuch as the necessary schedule of rates and charges for water service have been filed as prescribed by the Public Service Law and inasmuch as the service is improved and further improvements be made next year, I, therefore, recommend that this case be closed.

George R. Lunn,

Commissioner.

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APPROVED BY THE COMMISSION, OCT 24 1933