

DEPARTMENT REPORTS

OF THE

STATE OF NEW YORK

CONTAINING THE

MESSAGES OF THE GOVERNOR

AND THE

DECISIONS, OPINIONS AND RULINGS

OF THE

State Officers, Departments, Boards
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ABRAHAM S. WEBER, Director of the Budget

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be adopted by the Commission as a general guide for action in such matters.

Respectfully submitted,

R. SUTER,
Executive Engineer

Approved and adopted by the Water Power and Control Commission at a meeting held August 20, 1936.

F. P. WILLIAMS,
Secretary to the Commission

In the Matter of the Application of the VILLAGE OF JORDAN, Onondaga County, New York, for the Fixing of the Maximum Quantity of Water to be Taken from the Mains of Conduits of the City of Syracuse by Said Village, Through the Mains of the Village of Elbridge, and for the Fixing of the Rates or Charge to be Paid by the Village of Jordan to the City of Syracuse for the Water to be thus Taken by said Village. THIRD APPLICATION

Water Supply Application No. 1049

(Water Power and Control Commission, August 20, 1936)

MEMORANDUM

BY THE COMMISSION.—This is a proceeding in which the incorporated village of Jordan, in the town of Elbridge, Onondaga county, asks the Commission to specify the amount of water which said village may draw from the conduits of the city of Syracuse and to fix the price which must be paid for such water.

Heretofore the city of Syracuse applied to the Commission for approval of a project for taking an additional water supply from Skaneateles lake and also for ratification and approval of certain past acts. In its decision of September 22, 1931, approving such application, the Commission declared Skaneateles lake

to be the natural source of water supply for any part of the town of Elbridge, provided that any municipality in such town, with the approval of the Commission, should have the right to take the necessary amount of water from the Syracuse conduits, paying for such water at an agreed rate, or, in default of any agreement, at a rate to be fixed by the Commission.

Acting under the terms of the above decision, the Commission on November 25, 1931, approved the taking of Syracuse water by the village of Elbridge (Water Supply Application No. 670). This project has been carried out and Elbridge is now so supplied. That village is paying one and one-half times the regular retail rate for such water—18 cents a hundred cubic feet, or \$240 a million gallons.

On March 19, 1935, the Commission authorized the village of Jordan to obtain a supply of water from the Syracuse conduits (Water Supply Application No. 921). Jordan has made a metered connection to the Elbridge mains and is to take Syracuse water through the Elbridge tap, paying the village for services rendered, but paying Syracuse directly for the water used—the difference between the readings of the Elbridge and Jordan meters.

It was understood in 1935 that Jordan and Syracuse had reached an agreement as to this matter and the decision so states. It now appears that no agreement has been reached. Syracuse wishes to restrict Jordan to a draft of 65,000 gallons a day and to be paid at one and one-half times the established city rates. Jordan has refused to agree to these terms and has applied to the Commission to have draft and price fixed.

As the Commission may soon be called upon to pass upon a number of similar cases, it has given the matter study and consideration aside from this particular case. The general principles have been set forth in a report of August 10, 1936, addressed to the Com-

mission by Russell Suter, Executive Engineer, the recommendations in which were formally adopted by the Commission on August 20, 1936.

Briefly stated the rules adopted are:

(a) The taker of the water shall be allowed the same per capita draft as the owner of the system.

(b) The price to be paid per million gallons of water taken shall be found by adding six per cent to the total investment cost of all works used to supply water to the point of taking and the whole or an equitable part of the cost of other works which affect the design and cost of the works first mentioned, to the total annual expenditure of every name and nature, except debt service, which can be allocated to the works above mentioned and the total annual cost of pumping, treating, purifying or otherwise processing or transporting water to the point of delivery, divided by the total annual consumption in millions of gallons.

(c) These amounts to be fixed for a short term only.

Applying these principles to the present case gives the following: Syracuse has a present population of about 209,000 persons and total water consumption of about 30,000,000 gallons a day; this gives the daily per capita use of water as about 145 gallons.

Jordan claims a population of about 1,300 persons. At 145 gallons a day a person, this would amount to about 188,000 gallons daily or 69,000,000 gallons a year.

Cost figures were given by William W. Cronin, acting city engineer, and have been accepted as given. He also gives figures on the cost of water at different points which, assuming a daily consumption of 30,000,000 gallons, work out:

At city line, including three conduits, \$43.00 per million gallons

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At city line, including two conduits, \$36.00 per million gallons

At Elbridge tap, including two conduits, \$24.00 per million gallons.

Elbridge tap is so situated that 34.2 per cent of the total length of the conduit lines is between it and Skaneateles lake. To find the investment cost of this section of conduit, the same percentage of the cost of the entire conduit may be used. This last cost is the sum of the costs of the two completed conduits, that of the completed portion of the third conduit and those of the two balancing reservoirs, all the structures which now determine the rate at which Syracuse can draw water from the lake. No attempt has been made to divide up the annual cost of maintenance work on the conduits and this cost has been included entire.

Investment:

Total, water at intake.....		\$1,371,873
Intake and two conduits....	\$2,176,590	
Third conduit	1,319,524	
Balancing reservoirs	2,000,000	
	34.2% of \$5,496,114 is	\$1,879,610
	Total investment	\$3,251,483

Annual Costs:

Plant rental, 6% of \$3,251,483.....	\$	195,089
Actual expenditures (no debt service)....		71,268
	Total.....	\$ 266,357

As draft is 10,950 million gallons a year this gives \$24.32 per millions gallons, or 1.82 per 100 cubic feet.

This price should be fixed at 2c per 100 cubic feet for a term of five years.

A decision should be made in conformity with the above.

Decision on Water Supply Application No. 1049

BY THE COMMISSION.—The incorporated village of Jordan, in the town of Elbridge and county of Onondaga, having on February 21, 1936, filed with the Water Power and Control Commission a petition asking said Commission to determine and fix the amount of water which applicant may draw from the conduits of the city of Syracuse and the amount which it must pay for such water, all as provided by the provisions of the decision of said Commission of September 22, 1931, on Water Supply Application No. 609 filed by the city of Syracuse, and the decision of said Commission of March 19, 1935, on Water Supply Application No. 921, filed by the village of Jordan; and

After due notice, the hearing on this petition having been held in the Conservation Department office in Cahill block on South Salina street in the city of Syracuse on March 31, 1936, at two o'clock in the afternoon; and

Petitioner having been represented by John C. McLaughlin, and the city of Syracuse having appeared by James C. Tormey, corporation counsel, and by Mark Conan, assistant corporation counsel, and the village of Elbridge having appeared by George Wise, chairman of the water board thereof, and the village of Skaneateles having appeared by Mayor S. A. Kane, and Charles T. Major, having appeared as an observer; and

The city of Syracuse having on May 14, 1935, and the village of Jordan having on June 6, 1936, filed reports and memoranda with regard thereto; and

The Water Power and Control Commission having given due consideration to the said petition and its exhibits, the proofs and arguments submitted at the hearing, the reports and memoranda thereafter filed and the reports of the engineers of the Commission thereon, determines and hereby orders:

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1. The city of Syracuse shall permit the village of Jordan to draw water from the city conduits in amounts not in excess of sixty-nine (69) million gallons in any one calendar year.

2. For all water actually so drawn the village of Jordan shall pay to the city of Syracuse at the rate of two (2) cents per hundred cubic feet, measured by a meter, which meter shall be read and payments to billed and become due in accordance with the established procedure of the city of Syracuse.

3. This water shall be delivered, taken and paid for in accordance with the provisions of the decision of the Commission of September 22, 1931, on Water Supply Application No. 609, filed by the city of Syracuse, those of the decision of November 25, 1931 on Water Supply Application No. 670, filed by the village of Elbridge, and those of the decision of March 19, 1935, on Water Supply Application No. 921, filed by the village of Jordon.

4. This determination and order as to the amount of water to be supplied to the village of Jordan and the price to be paid therefor shall remain in full force and effect for the period of five (5) years from the date hereof, unless modified by mutual agreement between Syracuse and Jordan; if the city and village cannot agree on the terms to be effective after the expiration of that time, the matter may again be brought before the Commission by application of either party.