

Decision No. 13207.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

ORIGINAL

In the Matter of the Application of
FRED L. HADLOCK, H. I. NANCE, JOHN
R. GRANT, C. F. W. PALMER and CHARLES
L. HUBBARD, co-partners doing business
under the name of SOLA WATER COMPANY,
for permission to sell their water
plant to W. T. ESTEP.

Application No. 9683.

Woodruff & Shoemaker by W. P. Mealey, for applicants.

BY THE COMMISSION:

O P I N I O N

In the above entitled application Fred L. Hadlock, H. I. Nance, John R. Grant, C. F. W. Palmer and Charles L. Hubbard, co-partners doing business under the fictitious name of Sola Water Company, ask authority to sell and W. T. Estep asks permission to purchase a public utility water system supplying approximately 160 consumers located on the Northeast Quarter (N.E. $\frac{1}{4}$) of Section Seven (7), Township Three (3) South, Range Thirteen (13) West, S.B.B. & M., in Los Angeles County.

A public hearing in this matter was held in Los Angeles before Examiner Williams, after due notice thereof had been given so that all interested parties might appear and be heard.

At the hearing applicants requested that the application be amended by substituting the name of J. B. Ferguson as purchaser

instead of W. T. Estep. Mr. Ferguson was present and joined in the application.

The testimony shows that J. B. Ferguson is associated with W. T. Estep in various water utility operations, and having advanced the money for the purchase of this water system desires that the property be transferred in his name. Mr. Estep, however, intends eventually to consolidate this system with his other water plants in the immediate vicinity and to take charge of its operation.

The testimony of Charles L. Hubbard indicates that this water system was installed to aid in the sale of lots by himself and associates who do not now desire to continue in the water utility business but propose to sell the system for a consideration of \$5,000 to J. B. Ferguson, who is in a better position to give the requisite attention to the operation of the plant.

After a careful consideration of all the evidence submitted at the hearing it is apparent that the best interests of consumers will be in no way affected by the proposed transfer and that authority therefor should be granted.

O R D E R

Fred L. Hadlock, H. I. Nance, John R. Grant, C. F. W. Palmer and Charles L. Hubbard, doing business under the fictitious name of Sola Water Company, having made application for authority to transfer to W. T. Estep, which application was amended at the hearing by substituting the name of J. B. Ferguson for that of W. T. Estep, a certain water system supplying consumers in the Northeast Quarter (N.E. $\frac{1}{4}$) of Section Seven (7), Township Three (3) South, Range Thirteen (13) West, S.B.B. & M., Los Angeles County,

and W. T. Estep and J. B. Ferguson having joined in the application, a public hearing having been held thereon and the matter having been submitted,

IT IS HEREBY ORDERED that the above entitled application, as amended, be and the same is hereby granted upon the following conditions:

1. The consideration given for the transfer of this utility water system shall not be urged before this Commission or any other public body as a finding of value for rate fixing or any purpose other than the transfer herein authorized.
2. The authority herein granted shall apply to the following public utility property:
That portion of Lot "C" of Tract 3212 in the County of Los Angeles, State of California, as per map recorded in Book 33, Pages 78 and 79 of Maps, in the office of the County Recorder of said County, described as follows:
Beginning at a point in the northerly line of Ionia Avenue distant North $89^{\circ}45'$ East 125 feet, measured along the northerly line of said Avenue and 120th Street from the Easterly line of Figueroa Street; thence along the northerly line of Ionia Avenue, North $89^{\circ}45'$ East 40 feet; thence parallel with the easterly line of Figueroa Street North $0^{\circ}21'30''$ West 135.88 feet; thence South $89^{\circ}39'$ West 40 feet; thence South $0^{\circ}21'30''$ East 135.81 feet to the point of beginning; together with the water pipes, franchises, rights of way, wells, machinery, pumps, structures and other improvements located upon the above described property or elsewhere in the Northeast Quarter ($N.E.\frac{1}{4}$) of Section Seven (7), T. 3 S., R. 13 W., S.B.B. & M., and used in maintaining the said water utility.
3. A certified copy of the instrument of conveyance shall be filed with the Commission by Fred L. Eadlock, H. I. Nance, John R. Grant, C. F. W. Palmer and Charles L. Hubbard within thirty (30) days of the date on which it is executed. The within authority to transfer said property shall apply only to such transfer as shall have been made on or before May 1, 1924.

4. Within ten (10) days of the date on which possession and control of the property herein authorized to be transferred is actually relinquished to J. B. Ferguson, a certified statement to that effect shall be filed with the Commission by Fred L. Hadlock, E. I. Nance, John E. Grant, C. F. W. Palmer and Charles L. Hubbard; or in case said J. B. Ferguson is already in control and possession of the property, a certified statement to that effect shall be filed within ten (10) days of the date of this order.

Dated at San Francisco, California, this 18th day
of February, 1924.

Osseany

Josiah Martin
Egerton Shore

Whittier
Commissioners.