

Decision No. 13306.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
A. L. BENNETT, party of the first
part, and GEORGE O. TRAPP, JACK
GOLDEN and WILLIAM SCHUMACHER, par-
ties of the second part, for permis-
sion to transfer water system at
Buena Park, Orange County, Calif.,
from the present owner, A. L. Benn-
ett, to George O. Trapp, Jack Golden
and William Schumacher.

ORIGINAL

Application No. 9734.

A. Curtis Case, for applicants.

BY THE COMMISSION:

O P I N I O N

A. L. Bennett, in this application, asks permission to sell his public utility water plant at Buena Park, Orange County, to George O. Trapp, Jack Golden and William Schumacher, who have joined in the application.

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

The testimony shows that Mr. Bennett owns Lots 3, 4, 5 and 6 in Block 55 of the Town of Buena Park, on which is located a well and pump from which he supplies twelve consumers with water. It now appears that Mr. Bennett, on account of ill health,

desires to transfer the water system to George O. Trapp, Jack Golden and William Schumacher, who propose to carry on the public utility business of supplying the present consumers until such time as the Town of Buena Park has its own municipal water system installed, for which purpose bonds have been voted.

At the hearing applicants asked that the application be amended to include permission to abandon water service as soon as the municipal water system is installed and service available to consumers now supplied by the Bennett system.

No one appeared to contest the granting of the application, and from the evidence it appears that the best interests of the consumers will be in no way affected by the proposed transfer and that authority therefor should be granted.

The authority to abandon water service may be granted by the issuance of a supplemental order when the Commission has received satisfactory assurance that the municipal water system of the Town of Buena Park is installed and water service is available to the consumers.

O R D E R

A. L. Bennett having made application for authority to transfer to George O. Trapp, Jack Golden and William Schumacher a certain water system supplying consumers in Buena Park, Los Angeles County, and George O. Trapp, Jack Golden and William Schumacher having joined in the application and having asked authority to discontinue water service as soon as the municipal water system of the Town of Buena Park is installed, a public hearing having been held thereon and the matter having been submitted,

IT IS HEREBY ORDERED that the above entitled application for authority to transfer be and the same is hereby granted upon the following conditions and not otherwise:

1. The consideration given for the transfer of this public 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:
Lots 3, 4, 5 and 6 in Block 55 of the Town of Buena Park as shown in Book 18, pages 50, 51 and 52 of Miscellaneous Records of Los Angeles County, together with the well, pump, tanks, distribution system and service pipes used or useful in the operation of the public utility water system.
3. A certified copy of the instrument of conveyance shall be filed with the Commission by A. L. Bennett within thirty (30) days of the date on which it is executed.
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 George O. Trapp, Jack Golden and William Schumacher, a certified statement to that effect shall be filed with the Commission by A. L. Bennett, or, in case said parties are already in control and possession of the property, a certified statement to that effect shall be filed within ten (10) days of the date hereof.

THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA
HEREBY DECLARES that authorization to discontinue water service will be granted by a supplemental order upon proper and satisfactory showing to the Commission that a municipal water system has been installed by the Town of Buena Park and that all the

consumers of this utility have been connected thereto or that service therefrom is available to them.

Dated at San Francisco, California, this 22^d day of March, 1924.

C. C. Seaver

Dwight Martin

Egerton Stone

J. H. Whittey
Commissioners.