

Decision No. 13459.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

ORIGINAL

In the Matter of the Application of)
OCEAN VIEW LAND & WATER COMPANY) Application No. 9843.
for permission to sell its system)
to CITY OF UPLAND.)

W. K. Beattie, for Ocean View Land & Water Company.
Frank C. Buffington, for the City of Upland.

BY THE COMMISSION:

O P I N I O N

In this proceeding the Ocean View Land & Water Company, a corporation, supplying water as a public utility in and in the vicinity of the City of Upland, makes application for authority to transfer its water system to the City of Upland, which joins in the application.

A public hearing in this matter was held at Los Angeles before Examiner Williams, after all interested parties had been notified and given an opportunity to be present and be heard.

The testimony shows that it is the purpose of the City of Upland to take over and operate the water systems which now supply consumers in and in the vicinity of the City. An election has been held at which the sale of the necessary bonds and the purchase of the various water systems was authorized. An agreement has been entered into in accordance with which the City has agreed to assume the public utility obligations of Ocean View Land & Water Company, both within and outside the corporate limits of the City.

No one appeared to protest the granting of this application and it is apparent that the authority requested should be granted.

O R D E R

Joint application having been made as entitled above, a public hearing having been held thereon, the matter having been submitted and the Commission being now fully informed in the matter,

IT IS HEREBY ORDERED that Ocean View Land & Water Company, a corporation, be and the same is hereby authorized to transfer to the City of Upland a certain public utility water system more particularly described in the application herein, upon the following conditions:

1. The authority herein granted shall apply only to such transfer as shall have been made on or before August 31, 1924, and a certified copy of the instrument of conveyance shall be filed with this Commission by Ocean View Land & Water Company within thirty (30) days from the date on which it is executed.
2. Within ten (10) days from the date on which Ocean View Land & Water Company actually relinquishes control and possession of the property herein authorized to be sold, it shall file with this Commission a certified statement indicating the date on which such control and possession was relinquished.
3. The consideration given for the transfer of this property shall not be urged before this Commission or any other public body as a finding of value for rate fixing or for any purpose other than the transfer herein authorized.

Dated at San Francisco, California, this 23rd day of April, 1924.

C. S. Seavey

H. B. Rindge

James Martin

J. F. Whitting
Commissioners.