

Decision No. 13790.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
JOHN HAYES WATER COMPANY
by John Hayes, sole owner, for an or-
der authorizing sale.

ORIGINAL

Application No. 9922.

Call and Call, by T. P. Menzies, Jr.,
for applicants.

BY THE COMMISSION:

O P I N I O N

In this application and the amendment thereto filed at the hearing on June 7, 1924, John Hayes, who owns and operates a public utility known as the John Hayes Water Company, supplying water for domestic purposes to consumers residing in Tract No. 3939, Los Angeles County, asks authority to transfer the plant for a consideration of \$8,500 to Robert G. and Myra Hotchkiss, who join in the application.

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

The agreement between applicants calls for the payment of \$1,000 in cash and the issue of a note for \$7,500 bearing interest at the rate of 7 per cent. and payable in monthly instalments of \$75. The purchasers ask permission to issue such note

and to execute a trust deed to secure the payment of the same.

The annual report of this utility for the year 1923 filed with the Railroad Commission indicates that the plant has 62 consumers and that there was \$9,822.70 invested in the system on December 31, 1923.

No one appeared to oppose the granting of this application and it is evident that the best interests of consumers will not be affected adversely if the transfer be authorized.

ORDER

John Hayes, sole owner, having made application for authority to transfer to Robert G. and Myra Hotchkiss a public utility known as the John Hayes Water Company, which supplies water for domestic purposes to consumers in Tract No. 3939, Los Angeles County, and Robert G. and Myra Hotchkiss having joined in the application, and having asked authority to issue a note in part payment for the properties and to execute a trust deed, a public hearing having been held thereon, and the Commission being of the opinion that the application should be granted as herein provided,

IT IS HEREBY ORDERED that John Hayes be and he is hereby authorized to sell on or before November 1, 1924, for \$8,500 the public utility water system described in this application, to Robert G. and Myra Hotchkiss, who are hereby authorized to issue in part payment for such properties a \$7,500 note bearing interest at the rate of 7 per cent. per annum and payable in monthly installments of \$75.

IT IS HEREBY FURTHER ORDERED that Robert G. and Myra Hotchkiss be and they are hereby authorized to execute a trust deed substantially in the same form as that filed in this proceeding, to secure the payment of the \$7,500 note, which they are

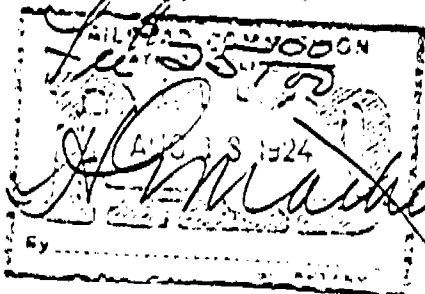
authorized to issue.

The authority herein granted is subject to further conditions as follows:

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 of the property for rate fixing or for any purpose other than the transfer herein authorized.
2. A certified copy of the instrument of conveyance shall be filed with this Commission by Robert G. and Myra Hotchkiss within thirty (30) days of the date on which it is executed.
3. Within ten (10) days of the date on which possession and control of the property herein authorized to be transferred is actually relinquished to Robert G. and Myra Hotchkiss, a certified statement to that effect shall be filed with this Commission by John Hayes; or, in case Robert G. and Myra Hotchkiss 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.
4. The authority herein granted to execute a trust deed is for the purpose of this proceeding only and is granted only in so far as this Commission has jurisdiction under the terms of the Public Utilities Act, and is not intended as an approval of such trust deed as to such other legal requirements to which said trust deed may be subject.
5. The authority herein granted will become effective when Robert G. and Myra Hotchkiss have paid the minimum fee prescribed by Section 57 of the Public Utilities Act, which fee is Twenty-five Dollars (\$25.00).
6. Robert G. and Myra Hotchkiss shall file a report as required by the Commission's General Order Number 24, which order, in so far as applicable, is made a part of this order.

Dated at San Francisco, California, this 10th day of

July, 1924.



C. S. Leavy
H. M. Anderson
Drawing Committee