

Decision No. 14734-

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

ORIGINAL

In the Matter of the Application of )  
ONTARIO INVESTMENT COMPANY and J. W. )  
ROGERS for order permitting certain )  
property to be sold by Ontario In- )  
vestment Company to J. W. Rogers and )  
relieving said company of its public )  
service obligations. )

Application No. 10784.

C. E. Sears for Ontario Investment Company.

J. W. Rogers in propria persona.

SQUIRES, Commissioner:

O P I N I O N

Ontario Investment Company has applied to the Commission as entitled above, for permission to sell its public utility water plant at West Cucamonga, San Bernardino County, to J. W. Rogers and to be relieved thereafter from its public utility obligations. Rogers joins in the application.

A public hearing was held in Los Angeles, after due notice had been given to all interested parties. No one appeared to protest the granting of the proposed transfer.

The evidence presented shows that the Ontario Investment Company proposes to transfer its water utility system, comprising mains, services, meters and 21.4 shares of Cucamonga Water Company stock free and clear of all encumbrance, to J. W. Rogers. There is also to be conveyed a parcel of land, which is non-operative

property, and which has no public utility obligations attached to it. J. W. Rogers has agreed to assign a \$2,500 note to Ontario Investment Company in payment for the properties.

Ontario Investment Company has operated this water system since some time prior to 1904. The water supply is obtained through ownership of shares of stock in the Cucamonga Water Company, which is alleged to be a mutual company. The last two annual reports of applicant, filed with the Commission, show that the operations of this system have been conducted at a considerable loss. The total number of consumers served is only thirty-one. Under existing conditions, which limit the available supply of water as well as the territory which can be furnished with water, this system probably can never be made to show any appreciable return upon the investment.

J. W. Rogers testified at the hearing that he is aware of the conditions under which the operations of the plant have been conducted, together with the responsibilities and obligations of an owner and operator of a public utility and he is willing to undertake the matter. The present owners have managed the plant at some disadvantage from their Los Angeles office. By reason of the purchaser being a resident of the community served, it seems to me that economies in operation and greater efficiency can be effected. It appears, therefore, that the interests of the present consumers of the system will be amply protected by the sale to Rogers and that the transfer should be authorized.

The following form of order is submitted:

#### O R D E R

Ontario Investment Company having made application to this Commission for authority to transfer to J. W. Rogers the water distributing system at West Cucamonga and thereafter be relieved of its public utility obligations in connection therewith, and

J. W. Rogers having joined in said application, a public hearing having been held thereon, and the Commission being now fully informed in the matter,

IT IS HEREBY ORDERED that Ontario Investment Company be, and it is hereby, authorized to transfer, on or after the date hereof, to J. W. Rogers that certain public utility water system owned and operated by Ontario Investment Company at West Cucamonga, San Bernardino County, and more particularly described in Applicant's Exhibit No. 3.

The authority herein granted is subject to the following conditions:

1. The consideration for the transfer herein authorized shall not be urged before this Commission or any other public body as a finding of value of said properties for rate fixing or for any purpose other than for the transfer herein authorized.
2. The authority herein granted shall apply only to such transfer as shall have been completed on or before July 31, 1925, and a certified copy of the final instrument of conveyance shall be filed with this Commission by Ontario Investment Company within thirty (30) days from the date upon which it is executed.
3. Within ten (10) days from the date on which Ontario Investment Company actually relinquishes control and possession of the properties herein authorized to be transferred, it shall file with this Commission an affidavit indicating the date upon which such possession and control was actually relinquished.

IT IS HEREBY FURTHER ORDERED that upon proper compliance with the terms and conditions of the order herein, Ontario Investment Company shall stand relieved of its public utility obligations and liabilities in connection with the properties herein authorized to be transferred.

The foregoing opinion and order are hereby approved and

ordered filed as the opinion and order of the Railroad Commission  
of the State of California.

Dated at San Francisco, California, this 4<sup>th</sup> day  
of ~~March~~ <sup>April</sup>, 1925.

H. A. Brundage

C. L. Leavelle

Edgar W. Shore

George D. Squires

Commissioners.