

Decision No. 16886.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

ORIGINAL

In the Matter of the Application of)
BRADBURY ESTATE COMPANY)
for an order approving the transfer) Application No. 11220.
of public utility property.)

Gibson, Dunn & Cratcher, by E. E. Conley, for
Bradbury Estate Company, applicant.

William Fleet Palmer, for City of Monrovia.

BY THE COMMISSION:

O P I N I O N

Bradbury Estate Company, which owns and operates a public utility water system supplying water to a subdivision known as the Oak Park Tract, a part of the city of Monrovia, Los Angeles County, has made application to this Commission as entitled above, for authority to transfer its water system to the City of Monrovia, and thereafter be relieved of its public utility liabilities and obligations. The City of Monrovia also joins in the application.

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

The Bradbury Estate Company several years ago subdivided a tract of land known as the Oak Park Tract, and in connection therewith installed a water system to aid in the sale of the lots. This territory was recently annexed to the City of Monrovia, which now proposes to acquire the plant and operate it in conjunction

with its municipal water system, agreeing to supply water to all consumers within the territory heretofore served by said Bradbury Estate Company.

On account of the failure of the water supply serving this system the City of Monrovia connected up its municipal mains with the Bradbury system on or about the first day of May, 1925. Since that date all of the water has been furnished by the City. The evidence shows that the company is turning this plant over to the City without cost and that the service which has been rendered since the City commenced operating the plant has been a vast improvement over conditions previously existing on the system.

Concerning the further request of applicant for authority to be relieved of its public utility liabilities and obligations, it should be pointed out at this time that the authority to transfer a public utility property necessarily carries with it the release of the vendor from the status of a public utility as to the property transferred when and if the terms and conditions of the Commission's order granting such transfer have been fully complied with.

No one appeared at the hearing to oppose the granting of this application, and it appearing that all consumers heretofore served by Bradbury Estate Company will be provided with a better and more adequate water supply, it is therefore the opinion of the Commission that the transfer should be granted.

O R D E R

Bradbury Estate Company having made application to the Railroad Commission for authority to transfer its public utility water system to the City of Monrovia, and to be relieved thereafter of all former existing public utility obligations, and the

City of Monrovia having duly joined in the application, a public hearing having been held thereon, the matter having been submitted and the Commission being now fully informed thereon,

IT IS HEREBY ORDERED that Bradbury Estate Company be and it is hereby authorized to transfer to the City of Monrovia, a municipal corporation, that certain water system owned by said Bradbury Estate Company and heretofore used by it for the supplying of water for domestic purposes to consumers residing in that section of the City of Monrovia known as Oak Park Tract, upon the following terms and conditions and not otherwise:

1. The authority herein granted shall apply only to such transfer as shall have been made on or before the thirty-first day of October, 1925, and a certified copy of the final instrument of conveyance shall be filed with this Commission by Bradbury Estate Company within thirty (30) days from the date on which it is executed.
2. Within ten (10) days from the date on which Bradbury Estate 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 upon which such control and possession was relinquished.

The authority herein granted shall become effective upon the date hereof.

Dated at San Francisco, California, this 25th day of August, 1925.

C. Seaver

George D. Squires

Leon White

 Commissioners.