

Decision No. 15395.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

ORIGINAL

In the Matter of the Application of the)
MURPHY WATER, ICE & LIGHT COMPANY and)
the CITY OF NEEDLES, California, for an) Application No. 11441
order authorizing the sale and purchase)
of public utility properties.)

Gibson, Dunn & Cratcher, by S. M. Haskins,
for Murphy Water, Ice & Light Company.

E. J. Kenney, City Attorney, for City of
Needles.

BY THE COMMISSION:

O P I N I O N

Murphy Water, Ice & Light Company, a corporation, which owns and operates a public utility water system serving water to the inhabitants of the City of Needles, San Bernardino County, has made application to the Railroad Commission for authority to transfer the system to the City of Needles, a municipal corporation, which joins in the application. Murphy Water, Ice & Light Company also asks that it be relieved of its public utility obligations.

A public hearing in this proceeding 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.

At an election held May 20, 1925, the citizens of Needles voted bonds in the amount of \$108,000 for the purchase of applicant's water system and to make certain improvements and ex-

tensions thereto. According to the evidence the consideration for the sale of this property is \$62,558.20.

No one appeared to protest the granting of this application except that the Commission's attention has been directed to the obligation still outstanding of this water company to make refund to one J. D. Warren of Needles for money advanced by him to the company for a pipe line extension if and when such extension should become compensatory as set out in this Commission's Decision No. 1587 in Case No. 579, dated June 17, 1914. It appears that while this extension had not yet become fully compensatory and the total amount deposited by Warren has therefore not been refunded, yet the possibility that the extension may become compensatory in the near future should be provided for in the terms of the agreement to sell between the parties thereto. It is the understanding of the Commission that the City of Needles has already entered into an agreement to assume this obligation and accordingly it will be so provided in the following order.

A consideration of the evidence in this matter makes it clear that the public interest will best be served by granting the authority for the transfer of this water system to the City of Needles.

O R D E R

Murphy Water, Ice and Light Company, a corporation, having made application to this Commission to transfer to the City of Needles, a municipal corporation, the public utility water system owned by it and used for supplying water in and about the City of Needles, said City of Needles having joined in the application, a public hearing having been held thereon, the matter having been duly submitted, and the Commission being

now fully informed thereon,

IT IS HEREBY ORDERED that Murphy Water, Ice and Light Company be and the same is hereby authorized to transfer to the City of Needles, a municipal corporation, that certain water system owned by it as more particularly described in Exhibit "C" attached to and made a part of the application herein upon the following terms and conditions:

1. The authority herein granted shall apply only to such transfer as shall have been made on or before December 31, 1925, and a certified copy of the final instrument of conveyance shall be filed with this Commission by said Murphy Water, Ice & Light Company within thirty (30) days from the date on which it is executed.
2. Within ten (10) days from the date on which Murphy Water, Ice & Light 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.
3. The authority herein granted shall be contingent upon the Murphy Water, Ice and Light Company filing with this Commission, along with the final instrument of conveyance of the properties herein authorized to be transferred, a certified copy of an agreement acceptable to this Commission providing for the refunding to consumers of any and all amounts due them for deposits made to said company for which deposits said consumers may now or in the future be entitled to refunds thereon.

IT IS HEREBY FURTHER ORDERED that upon full and complete compliance with the foregoing conditions, Murphy Water, Ice & Light Company, a corporation, shall be relieved of all obligations and liabilities as a public utility in connection with the property herein authorized to be transferred.

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

Dated at San Francisco, California, this 15th day of September, 1925.

H. W. Brandagee
Chairman
E. W. Decot
Commissioners.