

LEM

Decision No. 17481.

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
B. H. STEFFEN,
doing business under the name of
Chico Vecino Water Company, for order
authorizing sale and conveyance of the
said Chico Vecino Water Company and
water system, as a whole, to C. B.
Jackson.

Application No. 13250

BY THE COMMISSION:

O P I N I O N

In the above entitled matter the Railroad Commission is asked to make an order authorizing B. H. Steffen, an individual doing business under the firm name and style of Chico Vecino Water Company, to sell and transfer his properties and business to C. B. Jackson for, and in consideration of, the sum of \$65,000.00 payable in cash.

The properties involved in this proceeding are used to supply water for domestic and other purposes in a portion of the City of Chico, and vicinity, Butte County. On December 8, 1922, the Commission, on its own motion, instituted an investigation into the rates, rules, regulations and practices of the present applicant, and in its decision in that investigation, Decision No. 11675, dated February 17, 1923, adjusted the rates charged on the system, using as a rate base the sum of \$53,636.00; which was said to be the estimated original cost of the system as of December 1, 1922, as determined by the Commission's Engineering Department. For a description of the system reference may be made to the decision (Vol. 23, Opinions and Orders of the Railroad Commission of California, page 107)

At the time of the former decision it was reported that 380 consumers were served. The Commission has been advised, in connection with this proceeding, that since that time approximately 150 consumers have been added, making a total served at this time somewhat in excess of 500. Under the circumstances set forth we are willing to authorize the transfer of the properties at the price indicated. Such authorization is not to be construed, however, as a finding of value of the properties nor as binding the Commission at some future date to recognize the purchase price to be paid by C. B. Jackson as the basis for an order fixing rates or permitting the issue of securities or for any purpose other than the transfer to be authorized herein.

O R D E R

Application having been made to the Railroad Commission for an order authorizing B. H. Steffen to sell and transfer a public utility water system to C. B. Jackson, and the Commission being of the opinion that this is a matter in which a public hearing is not necessary, and that the application should be granted as herein provided,

IT IS HEREBY ORDERED that B. H. Steffen, doing business under the firm name and style of Chico Vecino Water Company, be, and he is hereby, authorized to sell and transfer to C. B. Jackson for and in consideration of the sum of \$65,000.00, payable in cash, the public utility water system and properties referred to in this proceeding and described in Exhibit "A" attached hereto.

The authority herein granted is subject to the following conditions:-

1. The price at which B. H. Steffen is authorized to transfer his water system shall not be urged, hereafter, before this Commission or other public body or court having jurisdiction as a measure of value of such

system for any purpose other than the transfer herein authorized.

2. Within thirty days after the transfer of the properties B.H. Steffen shall file with the Commission a certified copy of the instrument of conveyance and shall at the same time file a certified statement indicating the exact date upon which he relinquished possession and control of the system.
3. All consumers deposits which are to be returned under the rules, regulations and contracts of B. H. Steffen are to be transferred to the purchaser and returned by him pursuant to said rules, regulations and contracts.
4. C. B. Jackson, if he purchases the properties herein referred to shall continue in effect the rates, rules and regulations of B. H. Steffen now on file with the Railroad Commission.
5. The authority herein granted will become effective twenty days after the date hereof.

DATED at San Francisco, California, this 16th day of October, 1926.

H. H. Brundage
C. Sawyer
Thomas J. Lewis

Commissioners.

EXHIBIT "A"

The properties authorized to be transferred by B. H. Steffen to C. B. Jackson by the order preceding this exhibit, are as follows:

All of the water business now being conducted by the said B. H. STEFFEN at Chico, California, under the name of CHICO VECINO WATER COMPANY, and all of the franchises and properties belonging to or used in conducting said business, whatsoever the same may be and wheresoever the same may be situated and under whatsoever title or right the same may be held or claimed, and particularly all that certain lot, piece or parcel of land situate, lying and being in the City of Chico, County of Butte, State of California, more particularly described as follows, to-wit:-

BEGINNING at the Northeasterly corner of Lot Six (6) of Block Forty-five (45) of Chico Vecino according to the official map thereof on file in the office of the Recorder of the County of Butte; thence from said point of beginning Westerly along the Northerly line of the said Lot Six (6) a distance of ninety (90) feet; thence Southerly parallel to the Easterly line of the said lot a distance of twenty-four (24) feet; thence Easterly parallel to the Northerly line of the said lot a distance of thirty-five (35) feet; thence Southerly parallel to the Easterly line of the said lot a distance of sixteen (16) feet; thence Easterly parallel to the Northerly line of the said lot a distance of fifty-five (55) feet to the Easterly line of the said lot; thence Northerly along the said Easterly line forty (40) feet to the point of beginning.

And also all the waters, water rights of every kind and character, water privileges, easements, dams, reservoirs, pipes and pipe lines, (including any pipes and mains crossing any property now owned by the parties of the first part, or either of them, together with right-of-way for the same), flumes, aqueducts,

distributing systems, mains, service pipes, meters, wells, pumps, motors, machinery, tools, equipment, plants, real and personal property, franchises, contracts, agreements, contractual rights, leases, books (except accounts), papers and documents, and all materials, supplies and property on hand for use in said business and all other property owned, held, claimed or acquired, or hereafter to be acquired by said parties of the first part, or either of them, or used or employed or maintained or pertaining to or in connection with said business.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in any wise appertaining and the reversion and reversions, remainder and remainders rents, issues and profits thereof.