

Decision No. 18034.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

**ORIGINAL**

In the Matter of the Application of )  
SAM METZGER, VERA METZGER DAVIS and )  
ELSA METZGER DAVIS for permission )  
to transfer their property to O. N. )  
HIRSCH. )

Application No. 13533.

BY THE COMMISSION:

O R D E R

Sam Metzger, Vera Metzger Davis and Elsa Metzger Davis having made application to this Commission for authority to transfer their public utility water distribution system, which supplies water for domestic use and other purposes to some 50 consumers residing in the vicinity of Irvington and Mission San Jose, to O. N. Hirsch, who owns and operates a similar public utility water system supplying a number of consumers in the town of Irvington and vicinity; and the applicants herein and said O. N. Hirsch having made and entered into a written agreement dated December 23, 1926, a copy being attached to and made a part of this application, which sets forth in detail the considerations and the various conditions agreed upon and imposed as the terms upon which this transfer of property would be consummated, and it appearing that the transfer of property as proposed will result in an improvement in the water supply and service conditions for the consumers on both systems, and further that this is a matter in which a public hearing is not required and that the application should be granted,

IT IS HEREBY ORDERED that Sam Metzger, Vera Metzger Davis and Elsa Metzger Davis be and they are hereby authorized to

sell and transfer to O. N. Hirsch the certain public utility distribution system more particularly described in the application herein, subject to the terms and conditions of a certain agreement of transfer of the properties attached to and made a part of the application herein. The authority herein granted is subject to the following conditions:

1. The authority herein granted shall apply only to such transfer as shall have been consummated on or before May 1st, 1927, and a certified copy of the deed conveying this property shall be filed with this Commission by Sam Metzger, Vera Metzger Davis and Elsa Metzger Davis within thirty (30) days from the date on which it is executed.
2. Within ten (10) days from the date on which Sam Metzger, Vera Metzger Davis and Elsa Metzger Davis actually relinquish control and possession of the property herein authorized to be transferred, they shall file with this Commission a certified statement indicating the date on which such control and possession was relinquished.

IT IS HEREBY FURTHER ORDERED that upon the completion of the transfer herein authorized and upon the compliance by Sam Metzger, Vera Metzger Davis and Elsa Metzger Davis with the foregoing conditions, they are hereby relieved of their obligations as a public utility to supply water to consumers.

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

Dated at San Francisco, California, this 1st day of March, 1927.

Edward  
H. B. Brundage  
C. Seamy  
Leon Whittell  
Joe Powell  
Commissioners.