

Decision No. 18127.

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the joint application of the EAST GARDENA WATER COMPANY and the BOARD OF WATER AND POWER COMMISSIONERS OF THE CITY OF LOS ANGELES for an order granting permission for said East Gardena Water Company to sell and said City to buy certain real property hereinafter described, now owned by said East Gardena Water Company.

Application No. 13457.

E. J. Fleming for East Gardena Water Company.

Floyd M. Hinshaw for Board of Water and Power Commissioners of the City of Los Angeles.

BY THE COMMISSION:

O P I N I O N

East Gardena Water Company, a corporation, engaged in the business of furnishing water for domestic and irrigation purposes in the territory surrounding the unincorporated town of Gardena, Los Angeles County, has applied to the Railroad Commission for authority to sell and convey to the Board of Water and Power Commissioners of the City of Los Angeles, which joins in the application, a certain strip of land for an agreed price and consideration of \$10,750.

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

The City of Los Angeles requires said strip of land for right of way purposes for its Los Angeles Loop Power

Transmission Line. This right of way is sixty-five (65) feet wide by approximately six hundred and eighty-six (686) feet long, being more particularly described in the proposed form of the deed introduced in this proceeding as applicant's Exhibit No. 2.

The existing well and pumping plant constituting the present source of water supply of East Gardena Water Company is located on the property to be transferred. It will therefore be necessary for the water company to provide another source of supply for its consumers, which is to be accomplished by installing new wells with the necessary pumping equipment on adjoining land owned by the company. The option held by the Board of Water and Power Commissioners for the purchase of this right of way (dated December 23, 1926, and introduced in this proceeding as applicant's Exhibit No. 3) includes, among other provisions, a reservation to the company of the right to maintain and operate the existing pumping plant for a period of four (4) months after delivery of the final deed of conveyance to permit the installation of the new wells and equipment.

No one protested this application, and as it appears that the consideration for the transfer is ample to provide a new water supply and that the interests of the public are adequately protected, we are of the opinion that the request should be granted.

O R D E R

East Gardena Water Company, a corporation, having applied to the Railroad Commission for authority to transfer a certain parcel of real property to the Board of Water and Power Commissioners of the City of Los Angeles, which joins

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 East Gardena Water Company, a corporation, be and it is hereby authorized to sell and transfer to the Board of Water and Power Commissioners of the City of Los Angeles, for and in behalf of said City of Los Angeles, that certain parcel of land as more particularly described in the application herein and in Applicant's Exhibit No. 3 submitted in this proceeding, and subject to the terms and conditions of that certain option-agreement held by said Board of Water and Power Commissioners, dated December 23, 1926, as set forth in said Applicant's Exhibit No.3, and subject also to the following terms and conditions:

1. The authority herein granted shall apply only to such transfer as shall have been consummated on or before July 31, 1927, and a certified copy of the final instrument of conveyance of the property hereby authorized to be transferred shall be filed with this Commission by East Gardena Water Company, a corporation, within thirty (30) days from the date on which it is executed.
2. The consideration given for the transfer of this property shall not be urged before this Commission or any other public body as a finding of value for rate fixing or for any purpose other than the transfer herein authorized.
3. Within ten (10) days from the date on which East Gardena Water Company shall have actually

relinquished control and possession of the property herein authorized to be transferred and shall have discontinued its pumping operations on the well located thereon, it shall file with this Commission a certified statement indicating the date upon which such control and possession was relinquished and the date the new pumping plant was placed in operation.

For all other purposes the effective date of this order shall be twenty (20) days from and after the date hereof.

Dated at San Francisco, California, this 30th day of March, 1927.

Emmuel
H. B. Brundage
C. Sealey
Paul S. Howell
Commissioners.