

Decision No. 18614.

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 MCKINLEY BROTHERS, INCORPORATED,)
 and)
 CALIFORNIA TELEPHONE AND LIGHT)
 COMPANY,)

a corporation, for an order of the)
 Railroad Commission of the State of)
 California authorizing the former)
 to sell and convey and the latter)
 to purchase and acquire the proper-)
 ties referred to in this petition.)

Application No. 13821.

BY THE COMMISSION:

O P I N I O N

This is an application of McKinley Brothers, Incorporated, and California Telephone and Light Company, a corporation, asking the Commission to make its order authorizing the former to sell and the latter to purchase certain electrical generating and distributing facilities located at Middletown, Lake County, in accordance with an agreement entered into by and between applicants under date of April 20, 1927, and for an order authorizing McKinley Brothers, Incorporated, to discontinue electric service in the territory which it now supplies. A copy of the agreement is attached to the petition as Exhibit "A".

McKinley Brothers, Incorporated, operates a small hydro-electric plant together with the necessary electric distributing facilities to supply about seventy (70) consumers at Middletown. California Telephone and Light Company, controlled through stock ownership by Pacific Gas and Electric Company, ^{has} extensive electric facilities throughout Lake, Mendocino, Sonoma and Napa Counties and is in a position to serve the area herein involved and to take care of future growth of this area in a more satisfactory manner than can McKinley Brothers, Incorporated. The Commission is, in general, aware of the conditions of service now existing and what can be expected if the transfer is approved and it is felt that favorable action upon this application will be in the public interest.

The California Telephone and Light Company has agreed to pay Nine Thousand (\$9,000.00) dollars for the properties. It will be required to submit to the Commission for approval its proposed book entries to record the final distribution of this amount.

ORDER

Application having been made to the Railroad Commission of the State of California for an order authorizing the transfer of the electrical properties referred to in the foregoing opinion and for an order authorizing McKinley Brothers, Incorporated, to discontinue electric service in the territory which it now supplies and the Railroad Commission being of the opinion that a public hearing is not necessary in this matter and the application should be

granted as herein provided, therefore

IT IS HEREBY ORDERED that McKinley Brothers, Incorporated, be and it is hereby authorized to sell and transfer to California Telephone and Light Company the properties to which reference is made in the foregoing opinion and in Exhibit "A" attached to the petition in this proceeding, provided that the consideration being paid by California Telephone and Light Company will not be urged before this Commission as representing the value of said properties for any purpose other than the transfer herein authorized.

IT IS HEREBY FURTHER ORDERED that within thirty (30) days after the transfer of the property, the purchaser shall file with this Commission a certified copy of the deed or other instrument under which it acquires and holds title to said properties and that within ninety (90) days after the date hereof, there shall be filed with the Commission for approval the book entries by which the purchaser proposes to record the transaction.

IT IS HEREBY FURTHER ORDERED that McKinley Brothers, Incorporated, be and it is hereby authorized to cease furnishing and supplying electric service in the territory which it now supplies, such authority to become effective upon the day it transfers its properties to California Telephone and Light Company.

IT IS HEREBY FURTHER ORDERED that the authority herein

granted to transfer properties shall become effective on the date hereof.

DATED at San Francisco, California, this 13th day of July, 1927.

Emmerson

Olson

Leon Whitell

Commissioners.