

Decision No. 22895.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of ESTEBAN OYHARZABAL, JR., to Sell, and ORANGE COUNTY WATER WORKS DISTRICT NO. 4 to Purchase, the Franchise and a Portion of the Water Works System owned by said Esteban Oyharzabal, Jr., for the Furnishing of Domestic Water to the Residents of San Juan Capistrano, Orange County, California.

ORIGINAL

Application No. 16714.

BY THE COMMISSION:

O R D E R

Esteban Oyharzabal, Jr., having applied to the Railroad Commission for authority to transfer certain portions of his public utility water system, including all his permits, franchises and other rights existing in connection with the supplying of water to inhabitants of the town of San Juan Capistrano and in the vicinity thereof, to Orange County Water Works District No. 4, which joins in the application, and it appearing that said District will take over and assume all of the duties and obligations of said Esteban Oyharzabal, Jr., in supplying water to the said inhabitants of the town of San Juan Capistrano and in the vicinity thereof, and it further appearing that this is not a matter in which a public hearing is necessary and that authority should be granted,

IT IS HEREBY ORDERED that Esteban Oyharzabal, Jr., be and he is hereby authorized to transfer to Orange County Water Works District No. 4, for the sum of ten thousand dollars (\$10,000.) all those certain rights, franchises, permits and properties owned

and used by said Esteban Oyharzabal, Jr., in the supplying of consumers in and in the vicinity of San Juan Capistrano, Orange County, as said permits, franchises, rights and properties are more particularly described in the application herein and the exhibits attached thereto, which are hereby made a part of this order by reference, such transfer to be made in accordance with the terms and conditions set forth in the application herein and subject to the additional terms and conditions as follows:

(1) The authority herein granted shall apply only to such transfer as shall have been made on or before the first day of September, 1930.

(2) A certified copy of the final instrument of conveyance to Orange County Water Works District No. 4 shall be filed with this Commission by Esteban Oyharzabal, Jr., within thirty (30) days from its execution.

(3) On or before the first day of September, 1930, Esteban Oyharzabal, Jr., shall refund to all his consumers entitled thereto all sums due said consumers arising from deposits made to guarantee the payment of water bills or for main extensions, meters and/or service connections, and/or any other purpose whatsoever, and said Esteban Oyharzabal, Jr., shall file with this Commission on or before the tenth day of September, 1930, a duly executed affidavit setting forth a list of all consumers to whom refunds as set forth above are due as of the date of this order, together with the amount of each refund and the date that each such refund has been fully paid to the consumer entitled thereto. In the event there are no consumers entitled to refunds as herein set out, the affidavit should so state. Esteban Oyharzabal, Jr., shall publish once a week, for a period of four (4) consecutive weeks, notice of the proposed transfer of his properties and notice that on or before the first day of September, 1930, said company will refund to all its consumers entitled thereto all amounts due said consumers arising from deposits made to guarantee the payment of water bills or for main extensions, meters and/or service connections, said notice to be published in a paper of general circulation in Orange County. The above mentioned affidavit shall contain a statement reciting that said notice has been so published.

(4) Within ten (10) days from the date on which Esteban Oyharzabal, Jr., actually relinquishes control and possession of the properties herein authorized to be

