

Decision No. 23149.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
CENTRAL MENDOCINO COUNTY POWER COM-)
PANY(a corporation) and WILLITS)
WATER COMPANY (a corporation) and)
AMY REQUA LONG, for authority to)
cancel an agreement to sell the water)
system and properties of said Cen-)
tral Mendocino County Power Company)
to said Willits Water Company exe-)
cuted pursuant to Decision No.19562)
herein.)

ORIGINAL

Application No. 17033

BY THE COMMISSION:

O P I N I O N

The Railroad Commission is asked to enter its order authorizing Central Mendocino County Power Company, Amy Requa Long and Willits Water Company to cancel the agreement of July 11, 1927, to which reference will hereafter be made, and authorizing Willits Water Company to sell and convey whatever interest it may have in the properties referred to in said agreement, to Central Mendocino County Power Company.

It appears of record that Amy Requa Long, Edward Morris and Central Mendocino County Power Company entered into an agreement as of July 11, 1927 providing for the purchase by said Amy Requa Long and said Edward Morris from said Central Mendocino County Power Company of the water system and water properties of said Central Mendocino County Power Company for the sum of \$165,000.00 payable

as follows: \$16,500.00 on or before May 12, 1928 and \$16,500.00 on or before the 12th day of May of each successive year thereafter for nine years, and providing for the payment of interest at the annual rate of 6.4 percent on the \$165,000.00 until paid at the time when said annual installments of principal fall due. Thereafter said Edward Morris assigned his interest in the agreement to said Amy Requa Long. By Decision No. 19562 dated April 2, 1928 (Volume 31, Opinions and Orders of the Railroad Commission, page 442) the Commission authorized Central Mendocino County Power Company and Amy Requa Long and/or Willits Water Company to execute an agreement substantially in the same form as the agreement filed in Application No. 14404 as Exhibit "B". The agreement filed as Exhibit "B" is the agreement of July 11, 1927, to which reference has been made. Subsequent to said decision No. 19562 said Amy Requa Long assigned her interest in the agreement to said Willits Water Company which has since been in possession of said water system and water properties and has operated the same. Under the terms of the agreement the said Willits Water Company will not obtain title to the properties until it pays the full purchase price. It is reported that it paid under the purchase agreement \$50,897.31, which sum the vendor, the said Central Mendocino County Power Company, used to pay indebtedness.

The petition shows that said Amy Requa Long and her assignee, said Willits Water Company, and said Central Mendocino County Power Company, have agreed to cancel the said agreement of July 11, 1927 on condition that the said Central Mendocino County Power Company return to said Willits Water Company all payments which said Willits Water Company made under said agreement. As

stated, such payments are reported at \$50,897.31. This amount the Central Mendocino County Power Company proposes to return through the issue of a note for the principal sum of \$50,897.31 payable six months after date with interest at the rate of six percent per annum, payable semi-annually. This note may, if it is not secured by a lien on public utility property, be issued without permission from the Commission.

ORDER

The Railroad Commission having been asked to enter its order, as indicated in the foregoing opinion, having considered the request of applicants, and being of the opinion that this is not a matter in which a public hearing is necessary and that the application should be granted, therefore,

IT IS HEREBY ORDERED that Willits Water Company and Central Mendocino County Power Company be, and they are hereby, authorized to enter, on or before February 1, 1931, into an indenture providing for the cancellation of the aforesaid agreement dated July 11, 1927, and said Willits Water Company may, on or before February 1, 1931, execute and deliver to said Central Mendocino County Power Company its deed releasing, remising and quitclaiming to said Central Mendocino County Power Company all right, title and interest in all that certain property described in said agreement of July 11, 1927 and in all meters, pipes and all other personal property of whatsoever kind or nature, useful or usable, and on all franchises, rights, privileges and easements, in connection with or incident to the water works and water system serving the town of Willits and vicinity.

IT IS HEREBY FURTHER ORDERED that Central Mendocino County Power Company shall file with the Railroad Commission within ninety days from the date of this order a certified copy of each and every agreement executed by and between it and Willits Water Company for the purpose of carrying into effect the authority herein granted.

DATED at San Francisco, California, this 10th day of December, 1930.

Cl. Seaver
Ernest A. ...
John ...
...
M. A. ...
Commissioners.