

ORIGINALDecision No. 23427

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of C.E. GIDLEY, et al.
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Application No. 17036.

C.E. Gidley, in propria persona.
Geo. V. Loynd, in propria persona.

BY THE COMMISSION:

O P I N I O N

C.E. Gidley, engaged in the business of supplying water for domestic purposes to the residents of the Gidley-Pierson Tract and Lots 4, 5 and 6 of the F.W. Gibson Tract, Los Angeles County, has petitioned the Railroad Commission for authority to transfer his public utility water system to Livona Newcomb and Doris Loynd, and requests further that these latter parties in turn be permitted to transfer the said system to George V. Loynd. All parties involved have joined in this application.

A public hearing in this matter was held before Examiner Satterwhite at Los Angeles.

According to the evidence, C.E. Gidley in August, 1929, deeded his public utility property along with certain of his private property to his two daughters, Livona Newcomb and Doris Loynd who in September of the same year deeded both the utility and private properties to George V. Loynd, the husband of Doris

Loynd. Applicants herein apparently were unaware of the necessity of obtaining authority from the Railroad Commission to pass title to the utility property and the deeds were passed without first obtaining this permission. The consideration for these transactions was the assumption by the transferee of the obligations incurred under a mortgage of seven thousand dollars (\$7,000) which had been placed on both the utility and non-utility property prior to 1913. The value of the water system is estimated to be approximately one-third of the value of all the mortgaged properties. The testimony indicates that the mortgage will become due during the latter part of this year and will be renewed, secured by private property only, leaving the utility property free and clear of all encumbrance.

Mr. Loynd is the owner of a drug business at El Monte and has other assets indicating that he is financially able to operate the water system and provide reasonable service to the consumers. He stated at the hearing herein that it is his intention to employ Mr. C.E. Gidley to manage and operate the water system.

No one appeared to protest the granting of the application and as the system will continue to be operated as it has been in the past, the transfer of the properties should be authorized.

O R D E R

C.E. Gidley having applied for authority to transfer his public utility water system to Livona Newcomb and Doris Loynd who also ask for authority to transfer said system to George V.

Loynd, a public hearing having been held thereon and the Commission being now fully advised in the premises,

IT IS HEREBY ORDERED that C.E. Gidley be and he is hereby authorized to sell and transfer to Livona Newcomb and Doris Loynd, and that said Livona Newcomb and Doris Loynd be and they are hereby authorized to purchase and to transfer to George V. Loynd, and the said George V. Loynd be and he is hereby authorized to purchase and acquire that certain water system serving the Gidley-Pierson Tract and Lots 4, 5 and 6 of the F.W. Gibson Tract, Los Angeles County, as more particularly described in the application herein, upon the following terms and conditions.

1. The authority herein granted shall apply only to such transfer as shall have been made within thirty (30) days of the date of this Order, and a certified copy of the final instrument of each conveyance shall be filed with this Commission by C.E. Gidley and/or George V. Loynd within said thirty-day period.
2. Within twenty (20) days from the date of this Order, George V. Loynd shall file with this Commission a certified statement indicating the date upon which he actually assumed control and possession of this water system.
3. The consideration for the transfer herein authorized shall not be urged before this Commission or any other public body as a finding of value for

rate-fixing or any purpose other
than the transfer herein authorized.

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

Dated at San Francisco, California, this 24th day
of February, 1931.

Chas. J. ...
Leon ...
W. J. ...
M. B. ...
Fred G. ...
Commissioners.