

LEM

Decision No. 23758

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
AMERICAN STATES WATER SERVICE COM-)
PANY OF CALIFORNIA, a corporation,)
to buy, and F. T. Cook to sell, the)
public utility property known as)
Westmorland Water Company; and for)
American States Water Service Com-)
pany of California to issue a prom-)
issory note secured by a mortgage)
in part payment thereof.)

Application No. 16775

ORIGINAL

BY THE COMMISSION:

FIRST SUPPLEMENTAL ORDER

WHEREAS, F. T. Cook in the above entitled matter asked the Railroad Commission to make its order authorizing him to sell to American States Water Service Company of California a certain public utility water system known as the Westmorland Water Company, and American States Water Service Company of California in turn requested permission to buy said system and to issue in part payment its promissory note for \$15,000.00, to be secured by a real estate and chattel mortgage; and

WHEREAS, the Railroad Commission by Decision No. 23242, dated December 31, 1930, authorized F. T. Cook to sell and American States Water Service Company of California to acquire said water system on or before February 1, 1931, provided, however, that such authority was not to become effective until the Commission entered an order authorizing American States Water Service Company of California to issue a non-negotiable note for the face amount of not exceeding \$7,057.15 in payment for such properties, and to execute a real estate and chattel mortgage to secure the payment of such

note, or until it had been advised that American States Water Service Company of California would pay cash for said properties; and

WHEREAS, it now appears that the authority granted by said Decision No. 23242 did not become effective, that the time within which the transfer of properties might be made has expired and that American States Water Service Company, under date of May 21, 1931, advised the Commission that it has not acquired the properties of F. T. Cook, known as the Westmorland Water Company; and

WHEREAS, it therefore appears to the Commission that the application, now pending, of American States Water Service Company of California to execute its \$15,000.00 note and its real estate and chattel mortgage should be dismissed without prejudice, therefore,

IT IS HEREBY ORDERED that the application of American States Water Service Company of California to issue a \$15,000.00 note, secured by a real estate and chattel mortgage be, and it hereby is, dismissed without prejudice.

DATED at San Francisco, California, this 10th day of June, 1931.

C. C. Lenny
Leon O'Whelan
M. P. Lee
M. B. Harris
Fred G. Peterson
Commissioners.