

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application
of E. W. PAYNE for an order auth-
orizing the conveyance of the Melvin
Place Water Plant, Los Angeles Coun-
ty, California, to W. E. BALL, and
of W. E. BALL to purchase said plant.

Application No. 217.

ORIGINAL

Appearances:

L. R. and S. H. Garrett and
D. A. Jacobs, for applicant.

O P I N I O N.

LOVELAND, Commissioner.

The pleadings under this application disclose and the testimony given at the hearing show that on June 1st, 1910, E. W. Payne purchased from the "Home Builders," a corporation, a certain water plant or system known as Melvin Place Water Plant, in Los Angeles County, California, but not within corporate limits, such plant or system comprising Lots (4) and (5) of Melvin Place in the County of Los Angeles, California, including a house, engine house, tanks, pump pipes and piping connected therewith, and all easements, rights of way and appurtenances thereto, and since that time to April 1st, 1912, managed and conducted said water plant or system; that said plant is not incorporated and that said E. W. Payne is sole owner thereof:

That said plant or system supplies water for domestic purposes to approximately one hundred and twenty-five customers within a radius of about one mile of the location of said plant or system and that for sometime previous to April 1st, 1912, the expenses of conducting said plant had exceeded the income therefrom:

That on or about March 25th, 1912, said E. W. Payne entered into an agreement with said W. E. Ball to sell said plant to said Ball and that thereafter, to-wit - on April 1st said Ball assumed charge of said plant and has since managed

and is now managing said plant and that under the management of said Ball said plant has been conducted at a profit of about ninety dollars per month. Said E. W. Payne now asks permission under Section 51 (a) of the Public Utilities Act to sell and transfer said plant to said Ball for the reason that he is physically and financially unable to manage it, and said Wm. E. Ball asks to be authorized to purchase said plant. No one appeared at the hearing in opposition to the application and applicant presented affidavits from some of the patrons of the Melvin Place Water Company approving said transfer of ownership and requesting the Commission to approve same, and it appearing that the interests of the residents of Melvin Place and all who are supplied with water by the said Melvin Place Water Plant will be best served and promoted by permitting and approving the sale by said E. W. Payne of said Melvin Place Water Plant to said Wm. E. Ball. I recommend that such sale be permitted and submit the following order:

O R D E R -

WHEREAS, E. W. Payne of Los Angeles, California, is owner in fee simple of a certain water plant or system in Los Angeles County, California, devoted to public use, known as Melvin Place Water Plant,

AND WHEREAS, said E. W. Payne is physically and financially unable to properly manage and conduct the affairs of said plant and desires to sell same to Wm. E. Ball and has applied to the Railroad Commission for permission to sell said plant to said Wm. E. Ball, and said Wm. E. Ball having applied for permission to purchase said plant, as provided in Section 51 (a) of the Public Utilities Act, and it appearing from the testimony at the hearing of said application and from the financial statement filed in this proceeding by said Wm. E. Ball that he is in a position to successfully manage and conduct said Melvin Place Water Plant, and that the interests of the people who

are being supplied with water by the said Melvin Place Water Plant will best be served and promoted by said sale and purchase of said water plant.

The price for which the property is to be purchased, namely, the sum of Twenty-two Thousand Five Hundred (22,500) Dollars, shall not be taken as against this Commission or any other public authority as representing for rate fixing or any other purpose the present fair value of the property.

IT IS HEREBY ORDERED, that said E. W. Payne is hereby authorized to sell said Melvin Place Water Plant to said Wm. E. Ball at the price and on the terms set forth in the agreement hereinbefore referred to between said E. W. Payne and Wm. E. Ball, certified copy of which has been filed with the Commission and made a part of the pleadings herein.

The above opinion and order are hereby approved and ordered filed as the opinion and order of the Railroad Commission of the State of California.

Dated at San Francisco, California, this 14th day of October, 1912.

John McEhlerman

W. H. Loveland

W. J. Landon

Max Shellen

Edwin O. Edgerton

Commissioners.