

DECISION
No 311.

Decision No. 311

In the matter of the application of the Coast Counties Gas & Electric Company, a corporation, for an order authorizing the purchase by said company of all the property formerly belonging to the Davenport Light & Power Company, now belonging to the Rideout Bank, and the application of the Rideout Bank, a corporation, to sell said property to the Coast Counties Gas & Electric Company.

Application No. 232.

ORIGINAL

W. W. Kaufman of Stratton, Kaufman & Torchiana for
Coast Counties Gas & Electric Company.
J. A. Ballentine for Rideout Bank.

LOVELAND, Commissioner.

OPINION

The Davenport Light & Power Company was incorporated for the purpose of serving electric energy for heat, light, power and such other purposes as electricity is used for to the people of part of Santa Cruz and Monterey County. Its principal place of business was in the unincorporated town of Davenport, Santa Cruz County, California.

In the transaction of its business, the Davenport Light & Power Company borrowed from the Rideout Bank, a corporation with its principal place of business in Marysville, California, the sum of \$2380.00, giving its note for said amount with interest at 6%. The note not being paid when due, the Rideout Bank thereafter brought suit against the Davenport Light & Power Company, received judgment and had an execution issued under which execution the property of the Davenport Light & Power Company consisting of the distributing plant, distributing lines, secondary lines and meters, and other personal property, located in the village of Davenport, in the County of Santa Cruz, California, was sold by the Sheriff of the said County to the Rideout Bank.

A copy of the bill of sale of the said Sheriff, by which the property of the Davenport Light & Power Company was sold to the Rideout Bank, was filed with the Commission and made a part of the

pleadings in this application.

The application further sets forth that the Rideout Bank is engaged exclusively in the business of banking and that it cannot operate the said Davenport Light & Power Company in the general line of its own business; and applies for permission to sell said Davenport Light & Power Company;

That the said Coast Counties Gas & Electric Company has heretofore furnished the Davenport Light & Power Company with electric energy and is prepared to furnish a much better service to the patrons of the Davenport Light & Power Company than the Rideout Bank possibly can, and applies for permission to purchase said company.

A financial statement of the Coast Counties Gas & Electric Company is on file with the Commission showing that it is in position to take over and conduct the business of the Davenport Light & Power Company to the advantage of the patrons thereof, and I therefore find that present and future public convenience and necessity require and will require that the Coast Counties Gas & Electric Company be authorized to buy, and the Rideout Bank be authorized to sell to the Coast Counties Gas & Electric Company the property formerly belonging to the Davenport Light & Power Company.

I recommend the following Order.

O R D E R.

WHEREAS, the property of the Davenport Light & Power Company has been sold under execution to the Rideout Bank;

AND, WHEREAS, the Rideout Bank is in the banking business and does not desire to continue business of the Davenport Light & Power Company; and asks to be authorized to sell same to the Coast Counties Gas & Electric Company;

AND, WHEREAS, the ~~Coast~~ Coast Counties Gas & Electric Company is engaged in business similar to that conducted by the Davenport Light & Power Company, and is in condition to purchase

and operate the said Davenport Light & Power Company to the advantage of the consumers of said company, and asks to be authorized to purchase the property of said company;

AND, WHEREAS, the Commission finds that present and future public convenience and necessity require and will require the authorization of the sale and purchase of the property of the Davenport Light & Power Company as herein applied for;

NOW, THEREFORE, BE IT ORDERED, that the Coast Counties Gas & Electric Company be and it is hereby authorized to buy the property of the Davenport Light & Power Company from the Rideout Bank, and the Rideout Bank be and it is hereby authorized to sell the property of the Davenport Light & Power Company to the Coast Counties Gas & Electric Company at the price agreed upon by said Coast Counties Gas & Electric Company and said Rideout Bank, to wit: \$1250.00, said property consisting of the distributing plant, distributing lines, secondary lines and meters and other personal property situate in the village of Davenport, the County of Santa Cruz, State of California, being all of the property of the said Davenport Light & Power Company which was sold to said Rideout Bank under execution by the Sheriff of said Santa Cruz County.

It is especially understood and made a part of this Order that the price paid by the Coast Counties Gas & Electric Company to the Rideout Bank for the Davenport Light & Power Company shall not be binding upon this Commission or any rate fixing body for rate fixing purposes.

The foregoing 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 29th day
of October, 1912.

John M. Fishman

H. B. Loveland

Alfred Gordon

Max Thelen

Commissioners.