

Decision No. 6469

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application
of J. R. Holliday and B. A. Hook
and Maggie L. Nofziger, for per-
mission to sell and transfer to said
Nofziger the plant and equipment of
the water system at Coachella, now
owned and operated by said Holliday
and Hook.

Application No. 4675.

Samuel H. French for Applicants.

BRUNDIGE, Commissioner.

O P I N I O N

Applicants Holliday and Hook, in the above entitled proceeding, ask permission to transfer to Maggie L. Nofziger, for \$5,000.00 cash, the water system at Coachella now owned and operated by them.

A public hearing was held in Los Angeles on June 18, 1918.

Testimony shows that Holliday and Hook, who are well drillers by trade, intend to go to Texas to engage in the sinking of oil wells and that it would not be of advantage to their consumers to leave the operation of the water system in charge of any persons whom they could employ for the purpose. Maggie L. Nofziger, however, is a person of means, who is able to finance the water system, and her husband, D. I. Nofziger, is a person of mechanical skill who will operate the plant.

It appears that on January 18, 1919, Holliday and Hook

executed, without permission from this Commission, a note for \$2,500.00, due in one year, with interest at 8 per cent, payable quarterly, and a deed of trust on this water system to Riverside Title Company, as Trustee for First National Bank of Banning, California, to secure the note. The validity of the note and deed of trust is somewhat doubtful. However, inasmuch as testimony shows that Holliday and Hook intend to pay the note from funds obtained from sale of the property and have the deed of trust released of record, it is not necessary to go further into the matter.

There being no other indebtedness and no protests to the sale having been presented, I believe that public convenience will be bettered by the transfer.

O R D E R

J. R. HOLLIDAY, B. A. HOOK and MAGGIE L. NOFZIGER having made application in the above entitled proceeding, a public hearing having been held thereon, being fully informed in the matter and basing the order on the findings contained in the preceding opinion:

IT IS HEREBY ORDERED that J. R. Holliday and B. A. Hook are hereby authorized to transfer to Maggie L. Nofziger, for \$5,000.00, that certain water system supplying the town of Coachella, and described as follows:

Lots 9, 10 and 11 of Block 24, in the town of Coachella, as per map on file in Book 6, page 49 of Maps, Records of Riverside County, California, together with the storage tank, pump and electric motor located thereon, 3960 feet, more or less, of metal pipe from 6 to 12 inches in diameter, 10600 feet, more or less of metal pipe less than 6 inches in diameter, and all service pipes, meters, valves and other appurtenances constituting the water system now operated by said Holliday and Hook.

IT IS HEREBY FURTHER ORDERED that the authority hereby granted is upon the following conditions and none other:

1. That the transfer herein authorized shall be com-

pleted within 60 days from the date of this order.

2. That within 60 days of the date of transfer all certified copies of the deed shall be filed with this Commission.

3. That the transfer shall not be complete until the said Holliday and Hook have paid the above mentioned note.

4. That the purchase price of \$5,000.00, agreed to by the applicants herein, shall not be brought before this Commission as a basis for fixing rates or for any purpose other than the transfer herein authorized.

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 30th day
of June 1919.

H. B. Loveland
Frank Nelson
H. B. Brundage
George Martin

Commissioners.