

Decision No. 8151

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

ORIGINAL

In the Matter of the Application of )  
the Whittier Water Company for an )  
order confirming a contract and con- )  
veyance. )

Application No. 4753.

James S. Bennett for Applicant,  
Frederick W. Smith for the property owners  
in the Rancho Paso de Bartolo.

O P I N I O N

MARTIN, Commissioner.

The above entitled matter is an application by Whittier Water Company for an order authorizing it to transfer to the California Domestic Water Company (a mutual water company), certain pipe lines and properties in accordance with the terms of a certain agreement attached to the application herein and marked "Exhibit A".

A public hearing was held in this matter, and it appears that on April 26, 1913, Whittier Water Company and California Domestic Water Company made and entered into the agreement referred to above. This agreement was executed without the authority of this Commission, and apparently without the knowledge that such authority must be obtained before transfers of public utility properties are valid.

In order that the record may be clear in this matter, and being now fully informed as to the Commission's jurisdiction, applicant now applies for authority to execute a deed transferring these properties to California Domestic Water Company.

Taking into consideration all of the facts relating to this matter, it appears advisable that the authority requested by applicant should be granted.

O R D E R

Whittier Water Company having applied to the Railroad Commission for authority to transfer certain of its pipe lines and properties to the California Domestic Water Company, a public hearing having been held, and the Commission being fully apprised in the premises,

IT IS HEREBY ORDERED that Whittier Water Company be, and it is hereby authorized to transfer to the California Domestic Water Company that certain portion of its pipe lines and properties more fully described in Exhibit "A" attached to the application herein, upon the following conditions:

- (1) The authority herein granted to transfer property shall apply only to such transfer as may have been made on or before December 1, 1920.
- (2) A certified copy of the instrument of transfer shall be filed with the Railroad Commission within thirty (30) days of the date of its execution.

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 25<sup>th</sup> day of September, 1920.

Edwin G. Edwards  
H. D. Woodland  
Frank H. Blair  
H. B. Bunting  
Irving Martin  
Commissioners.