

Decision No. 98753

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
E.R. Capstaff, doing business as
the Lake Brook Improvement Co., and
Mountain Properties, Inc., a California
Corporation, for order authorizing
assignment of Certificate of Public
Convenience and Necessity.

) Application No. 20034.
)
)
)
)

BY THE COMMISSION:

O R D E R

ORIGINAL

In this application E.R. Capstaff, doing business as the Lake Brook Improvement Co., a corporation, asks for authority to sell and transfer its water system serving consumers residing in and in the vicinity of Lake-Brook Park, in San Bernardino County, to Mountain Properties, Inc., which joins in the application and which also operates a public utility water works in territory immediately adjacent to said Capstaff system, and, after an investigation, it appearing that it is in the best interests of the public to approve this transfer and that no public hearing in this proceeding is necessary, now, therefore,

IT IS HEREBY ORDERED that E.R. Capstaff, doing business under the fictitious firm name and style of Lake Brook Improvement Co., be and he is hereby authorized to sell and transfer his water system supplying consumers in and in the vicinity of Lake-Brook Park, in the County of San Bernardino, as said system together with its appurtenant facilities, rights, and interest is more particularly described in the application herein and the exhibits attached hereto which are hereby made a part of this Order by reference, to Mountain Properties, Inc., a corporation, and said

Mountain Properties, Inc., be and it is hereby authorized to purchase and operate said water system, subject to the following terms and conditions:

1. The authority herein granted shall apply only to such transfer as shall be made on or before the first day of October, 1935, and a certified copy of the final instrument of conveyance shall be filed with this Commission by E.R. Capstaff within thirty (30) days from and after the date on which it is executed.
2. Within ten (10) days from the date on which said E.R. Capstaff actually relinquishes control and possession of the property herein authorized to be transferred, he shall file with this Commission a certified statement indicating the date upon which such control and possession were relinquished.
3. The consideration for the transfer herein authorized shall not be urged before this Commission or any other public body as a finding of value for rate-fixing or any purpose other than the transfer herein authorized.

The authority herein granted shall become effective on the date hereof.

Dated at San Francisco, California, this 5th day of August, 1935.

Leon Whitehall

W. H. Lane

M. B. Davis

Walter W. ...

Edward R. ...

Commissioners.