

ORIGINAL

Decision No. 20748

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application
of A. G. McCASKILL and COUNTY OF
LOS ANGELES to sell water works
system.

Application No. 20990

Delmar E. McCaskill, for A. G. McCaskill.

Everett W. Mattoon, County Counsel, by
Earl O. Lippold, for Los Angeles County
Water District No. 21.

BY THE COMMISSION:

O P I N I O N

In this proceeding, A. G. McCaskill, who operates a public utility water system supplying water to residents of a tract of land in Kagel Canyon, Los Angeles County, asks for authority to sell and transfer his water distribution system, used for such purposes, to Los Angeles County Water Works District No. 21, which joins in the application.

A public hearing in this proceeding was held before Examiner W. R. Williams at Los Angeles.

The testimony shows that the Los Angeles County Water Works District No. 21 was organized pursuant to a vote of the people within the District on December 9, 1935. In 1933, A. G. McCaskill obtained control and possession of a water system supplying water to a tract in Kagel Canyon known as El Merrie Del, which he desires to sell and transfer to said Water District.

The water system was originally installed by Peters-Rhoades Company, a corporation which obtained a certificate of public convenience and necessity from the Railroad Commission to operate same through Decision No. 13925, dated August 16, 1924, in Application No. 10156. In September of 1925 Peters-Rhoades Company transferred this property to Madge Caldwell and subsequently there have been four other transfers made prior to its acquisition by its present owner, A. G. McCaskill. None of these transfers has been authorized by the Commission. We do not here pass upon any question of title to the properties in question.

Los Angeles County Water Works District No. 21 is in a position to develop an additional water supply and give a better and more dependable water service to the entire Kagel Canyon area, including that portion known as El Merrie Del now served by A. G. McCaskill. No protest was made against granting the request of applicants, which appears to be in the best interest of the public and should be granted.

O R D E R

A. G. McCaskill having made application as entitled above, a public hearing having been held thereon, the matter having been duly submitted and the Commission being now fully advised in the premises,

IT IS HEREBY ORDERED that A. G. McCaskill is hereby authorized to sell and convey to Los Angeles Water Works District No. 21, all and singular any right, title and interest possessed by him in and to certain real property described as Lot 84, Tract LS 16-4-5, together with any and all appurtenances thereon,

including the pump house, well, pumping equipment, storage tank and miscellaneous tools, and also distributing lines, service lines and meters, together with any and all easements and rights of way for said lines and used in connection with and appurtenant to the water supply system now operated by A. G. McCaskill and located in Kagel Canyon, Los Angeles County, said sale and conveyance to be made substantially in accordance with the terms and conditions of the option entered into by and between A. G. McCaskill and the Los Angeles County Water Works District No. 21, dated July 13, 1936, a copy of which, marked Exhibit "A," is attached to the application herein and hereby made a part of this Order by reference.

IT IS FURTHER ORDERED that the above authority is granted subject to the following conditions:

1. The authority herein granted shall apply only to such transfer as shall be made on or before the first day of July, 1937, and a certified copy of the final instrument of conveyance shall be filed with this Commission by A. G. McCaskill within thirty (30) days from and after the date on which it is executed.
2. Within ten (10) days from the date on which A. G. McCaskill actually relinquishes control and possession of the property herein authorized to be transferred, A. G. McCaskill shall file with this Commission a certified statement indicating the date upon which such control and possession were relinquished.
3. On or before the first day of July, 1937, A. G. McCaskill shall refund all amounts due consumers for deposits made for main extension, meter or service connections, and/or any other purposes.

4. On or before the first day of July, 1937, A. G. McCaskill shall file with this Commission a verified statement to the effect that the terms and conditions of Paragraph 3 above have been complied with.

For all other purposes, the effective date of this Order shall be twenty (20) days from and after the date hereof.

Dated at San Francisco, California, this 10th day of May, 1937.

Walter Mason
Leon Whitell
Frank Calvey
Ralph W. ...
Ray & Tully
Commissioners