

Decision No. 21916

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of SOUTHERN CALIFORNIA WATER COMPANY and CITY OF SACRAMENTO for an order authorizing the former to sell and the latter to buy that portion of the water distribution system of said Southern California Water Company and certain other property situate within the boundaries of said City of Sacramento.

Application No. 21916

BY THE COMMISSION:

O R D E R

In this application Southern California Water Company, a corporation, asks permission to sell to the City of Sacramento, a municipal corporation which joins in the application, that portion of its water distribution system and certain other appurtenant properties situate within the boundaries of the City of Sacramento substantially in accordance with the terms of the agreement made and entered into by and between said Southern California Water Company and the City of Sacramento as of the twenty-ninth day of April, 1938, a copy of which is attached to the application herein and marked Exhibit "A."

An investigation having been made and it appearing that this utility will still retain adequate facilities to maintain proper water service to its remaining consumers located without the corporate limits of the City of Sacramento, that this is not a matter in which a public hearing is necessary and that the ap-

plication should be granted, now, therefore,

IT IS HEREBY ORDERED that Southern California Water Company, a corporation, be and it is hereby authorized to sell and convey to the City of Sacramento, a municipal corporation, all its rights, title and interests in and to that certain portion of its distribution system and appurtenant water facilities situate within the boundaries of the City of Sacramento substantially in accordance with the terms, conditions and descriptions set forth in the agreement marked Exhibit "A," attached to the application herein and hereby made a part of this Order by reference.

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

1. The authority herein granted shall apply only to such transfer as shall have been made on or before the first day of September, 1938, and a certified copy of the final instrument of conveyance shall be filed with this Commission by Southern California Water Company, a corporation, within thirty (30) days from the date on which it is executed.
2. Within ten (10) days from the date on which said Southern California Water Company, a corporation, actually relinquishes control and possession of the property herein authorized to be transferred, it shall file with this Commission a certified statement indicating the date upon which such control and possession were relinquished.
3. On or before the thirty-first day of July, 1938, Southern California Water Company, a corporation, shall refund all amounts, if any, due consumers for deposits made for main extensions, meter or service connections, and/or any other purposes.

4. On or before the first day of August, 1938, Southern California Water Company, a corporation, shall file with this Commission a verified statement to the effect that the terms and conditions of Paragraph 3 above have been complied with.

5. 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.

Dated at San Francisco, California, this 23rd day
of May, 1938.

Walter M. ...
John ...
Frank ...
Karl ...
Ray ...
Commissioners.