

Decision No. 29748

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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

} Application No. 20990.

BY THE COMMISSION:

ORIGINAL

ORDER OF REVOCATION

Issued in May of 1937, Decision No. 29748 authorized A. G. McCaskill, operating a water utility in Kagel Canyon, Los Angeles County, to transfer to Los Angeles County Water Works District No. 21 "any right, title and interest possessed by him in and to" certain properties comprising the water distribution system. That decision recited that the system was originally installed by Peters-Rhoades Company, and that several transfers had been made prior to its acquisition by McCaskill. None of the transfers having been authorized, the decision expressly stated that the Commission did not pass upon any question of title to the properties.

Both parties now join in a verified petition asking that that decision be revoked. They allege that subsequent to the decision McCaskill forwarded to the County a grant deed and bill of sale, which were accepted, but that thereafter a third party claimed an interest in the real property paramount to that of McCaskill. The latter thereupon demanded that the County reconvey to him the personal property covered by the bill of sale, together with a quit-claim deed to the real property, in view of the probability of not being able to obtain a policy of title insurance. Petitioners allege further that they desire to abandon the transfer and to have the order of authorization rescinded.

While authorization to transfer utility property is merely permissive and not mandatory, and revocation of authority is not essential to abandonment of the transaction, the Commission has no objection thereto where both parties so request, and IT IS ORDERED that Decision No. 29748 is hereby revoked and Application No. 20990 dismissed without prejudice.

Dated, San Francisco, California, July 15, 1938.

Alfred L. Brown
Leon C. Calkins
Frank R. Miller

Commissioners