

31237

Decision No. _____

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
CALIFORNIA WATER & TELEPHONE COMPANY
and THOMAS B. HENLEY, for an order
authorizing the latter to sell to
the former that certain water system
known and operated under the name of
THOMAS B. HENLEY.

Application No. 22150

ORIGINAL

BY THE COMMISSION:

OPINION AND ORDER

In this application California Water & Telephone Company, a corporation engaged, among other things, in the public utility business of serving and selling water in territory adjacent to that now being served by Thomas B. Henley, asks permission to purchase, and Thomas B. Henley requests authority to sell that certain public utility water system operated under the name of Thomas B. Henley and serving water in territory adjacent to Rosemead in the County of Los Angeles.

An investigation having been made and it appearing that California Water & Telephone Company, a corporation, is desirous of acquiring the business and water system of applicant Thomas B. Henley and of continuing the sale and distribution of water as a public utility for domestic, irrigation and other purposes in the territory now served by said applicant Thomas B. Henley and that it will be to the advantage of applicant California Water &

Telephone Company and the consumers now being served by applicant Thomas B. Henley to have said California Water & Telephone Company acquire the said business and water system and continue said service and, further, it appearing that this is not a matter in which a public hearing is necessary and that the application should be granted, now, therefore,

IT IS HEREBY ORDERED that California Water & Telephone Company, a corporation, be and it is hereby authorized to purchase and Thomas B. Henley to sell that certain public utility water system now being operated in territory adjacent to the Rosemead Area in the County of Los Angeles substantially in accordance with the terms and conditions set forth in the form of 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 31st day of October, 1938, and a certified copy of the final instrument of conveyance shall be filed with this Commission by Thomas B. Henley within thirty (30) days from the date on which it is executed.
2. Within ten (10) days from the date on which said Thomas B. Henley 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 are relinquished.
3. On or before the 31st day of October, 1938, Thomas B. Henley shall refund all amounts, if any, due consumers for deposits made for main extensions, meter or service connections, and/or any other purpose.

4. On or before the 10th day of November, 1938, Thomas B. Henley shall file with this Commission a certified 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.

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 6th day of September, 1938.

Walter W. Brown
Leon A. Kelly
James R. Brown
Ray L. Kelly
Commissioners.