

ORIGINAL

Decision No. 32266

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
B. J. LEWIS,
doing business under the fictitious
firm name and style of B. J. LEWIS
PUBLIC UTILITY WATER SYSTEM, for
authorization and order to sell, and
ALBERT E. HANEY, to purchase, the
B. J. LEWIS PUBLIC UTILITY WATER
SYSTEM.

Application No. 22829.

Ben Van Tress, for applicants.

BY THE COMMISSION:

O P I N I O N

B. J. Lewis, doing business under the fictitious firm name and style of B. J. Lewis Public Utility Water System, asks permission to sell his public utility water properties to Albert E. Haney.

The Railroad Commission by Decision No. 27503, dated November 5, 1934, in Application No. 19458 "declares that public convenience and necessity require that B. J. Lewis operate a public utility water system in the territory known as Tracts Nos. 7806 and 8910, Topanga Canyon, Los Angeles County," California. There are presently forty-three consumers attached to his water system.

Said B. J. Lewis has, since the date of said Decision No. 27503, endeavored to supply water to the consumers residing on said Tracts Nos. 7806 and 8910. Upon several occasions his wells have not produced enough water to meet the demand of his consumers. Because of the fact that he is not able to finance the drilling of a new well, he concluded to sell his water system to Albert E. Haney for \$650, and the assumption by said Albert E. Haney of a mortgage of

\$2,200 held by the R. D. Scott Estate. A copy of the agreement of sale is filed in this proceeding as Exhibit "A".

There are now two wells on the system; one produces no water, the other about 240 gallons per hour. It is of record that said Albert E. Haney has taken temporary possession of the water system and has restored service to all consumers. To accomplish this end he has leased and put into operating condition a well owned by California Liquidating Security Corporation. He also obtains water from other sources.

Said Albert E. Haney is engaged in the business of drilling wells and expects to reside in the area served by the B. J. Lewis Public Utility Water System. Immediately upon acquiring the properties, he plans to drill a new well which should be completed within thirty days. The testimony shows that he has the equipment and resources to drill the well. Thirty-seven of the consumers have signed a petition urging that said Albert E. Haney acquire and operate the B. J. Lewis Public Utility Water System.

No one appeared at the hearing to protest the granting of the application. Said Albert E. Haney will charge the same rates as are now charged by said B. J. Lewis.

O R D E R

A public hearing having been held on the above entitled matter before Examiner Fankhauser, and the Commission having considered the evidence submitted at such hearing and it being of the opinion that this application should be granted, as herein provided, therefore,

IT IS HEREBY ORDERED that B. J. Lewis be, and he is hereby, authorized to sell to Albert E. Haney, and said Albert E. Haney

is hereby authorized to acquire and operate the public utility water system known as the B. J. Lewis Public Utility Water System, furnishing water to Tract No. 7806 and Tract No. 8910, Topanga Canyon, Los Angeles County, California, said sale to be made pursuant to the terms and conditions of the agreement filed in this proceeding as Exhibit "A".

IT IS HEREBY FURTHER ORDERED that within thirty(30) days after the sale of said properties, Albert E. Haney shall file with the Railroad Commission a copy of the deed or other instrument of conveyance under which he holds title to said properties.

IT IS HEREBY FURTHER ORDERED that the authority herein granted will become effective upon the date hereof.

DATED at San Francisco, California, this 1st day of August, 1939.

Ralph Greer

Ralph Greer

H. H. Hall

Justin J. Greer

Commissioners.