

Decision No. 23381

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
Elizabeth Kirchgater for an Order
Permitting her to Sell and Transfer
the Gould Tract Water Works to the
City of Sacramento.

ORIGINAL
Application No. 23381

BY THE COMMISSION:

O R D E R

In this application Elizabeth Kirchgater, owner of the Gould Tract Water Works serving territory contiguous to and south of the City of Sacramento, asks for authority to sell and transfer the said water system to the City of Sacramento which joins in the application. It appears that a public hearing in this matter is not necessary and that the request should be granted; now, therefore,

IT IS HEREBY ORDERED that Elizabeth Kirchgater be and she is hereby authorized to sell and transfer her water system known and designated as the Gould Tract Water Works to the City of Sacramento substantially in accordance with the terms, conditions and descriptions as set forth in the option agreement entered into and exercised by the City of Sacramento, a copy of which is attached to the application herein, and which is hereby made a part of this Order by reference, 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 July, 1940, and a certified copy of the final instrument of conveyance shall be filed with this Commission by Elizabeth Kirchgater within thirty (30) days from the date upon which said instrument is executed.

2. On or before the first day of July, 1940, Elizabeth Kirchgater shall refund to such consumers as may be entitled thereto all amounts, if any, deposited for main extensions, meter or service connections, and/or any other purposes and not later than said date shall file with this Commission a certified statement to the effect that all such refunds, if any, have been duly made.
3. Within thirty (30) days after the sale and transfer of her public utility water properties to the City of Sacramento, Elizabeth Kirchgater shall file with this Commission:
 - (a) A statement showing the exact date upon which she relinquished possession and control of her water system; and,
 - (b) A report covering the operations of her water system during the year 1940 from January 1 to the date she relinquished possession and control of her water system.

IT IS HEREBY FURTHER ORDERED that upon due compliance with the above terms and conditions said Elizabeth Kirchgater shall thereupon and thereby stand relieved of all further public utility obligations and liabilities in connection with the water works authorized to be transferred herein.

The authority herein granted shall become effective on the date hereof.

Dated at San Francisco, California, this 16th day of April, 1940.

Ray L. Rice
Frank DeLong
W. Baker
Justus J. Coe
Commissioners