

Decision No. 34246

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In Re: BOND AND JONES WATER COMPANY  
In the Matter of the Application of  
WALTER B. JONES and M. E. JONES,  
for an order authorizing the sale of  
undivided interest in water company.

ORIGINAL

Application No. 23818

BY THE COMMISSION:

SECOND SUPPLEMENTAL OPINION AND ORDER

The Commission's Decision No. 33815 rendered January 21, 1941, as amended by Decision No. 34054, authorized Walter B. Jones to sell his one-half interest in certain water-works properties to Marion E. Jones. A further supplemental application since filed reveals the subsequent death of R. W. Jones, the party who held a one-half interest in such water properties. The Commission is asked to so modify its first order as to give effect to these changed circumstances.

As appears from the facts stated in Decision No. 33815, R. W. Jones, now deceased, was a part owner in two contiguous utility water properties in and about the towns of El Modena and McPherson, Orange County. One was operated as the Jones and Jones Water Company, in which business Marion E. Jones, the son of R. W. Jones, was a part owner or partner. The other concern has been operating under the name of Bond and Jones Water Company, in which business R. W. Jones and Walter B. Jones were co-owners or partners. Our first order granted Walter B. Jones the

right to sell his interest in the last mentioned property to Marion E. Jones. In the application last filed it is represented that Walter B. Jones is now empowered as surviving partner to convey the entire water business and property, and it is proposed that such conveyance shall be made to Marion E. Jones.

Inasmuch as it is provided by law that every transfer of utility property shall be authorized by this Commission, we are of the opinion that the authority necessary to give effect to the desire of the parties should be sufficiently broad to permit Marion E. Jones to acquire not only the entire interest of Walter B. Jones in the one water property but also to succeed to such interest in both properties as to which he would be entitled under his father's will. The order herein will so provide.

#### O R D E R

A supplemental application having been filed in the above matter seeking an order amendatory of that contained in Decision No. 33815 issued January 21, 1941, and good cause appearing,

IT IS ORDERED that the order contained in said Decision No. 33815 be and hereby is amended to authorize Walter B. Jones to execute such deed or deeds as may be necessary in order to convey to Marion E. Jones all his legal or equitable interest and title in the water-works business and property being operated under the firm name and style of Bond and Jones Water Company and that said Marion E. Jones be and hereby is authorized to acquire such interest of Walter B. Jones in said water-works property, and also to acquire such interest and title in the water-works businesses and properties of Bond and Jones Water Company and

Jones and Jones Water Company as to which he may be entitled by the laws of succession under the estate of R. W. Jones, deceased.

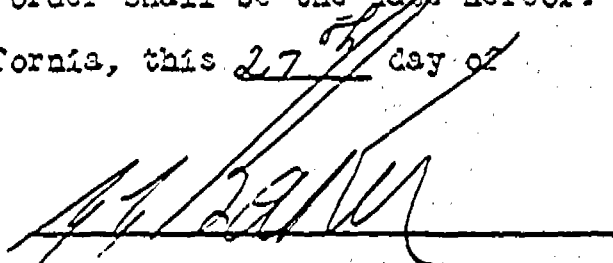
IT IS FURTHER ORDERED that Marion E. Jones shall file with this Commission a verified copy of each conveyance or court decree executed or made for the purpose of concluding the transfers herein authorized, said transfer or transfers to be completed on or before December 1, 1941, unless further order of this Commission is first obtained, and copies of such instruments filed within thirty (30) days after said date.

IT IS HEREBY FURTHER ORDERED that said Decision No. 33815 shall, except as herein amended, remain in full force and effect.

The effective date of this order shall be the date hereof.

Dated, San Francisco, California, this 27<sup>th</sup> day of

May, 1941.

  
Justus F. Cramer  
Francis D. Havens  
Richard H. Hachre  
Commissioners.