

Decision No. ~~25573~~

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

ORIGINAL

In the matter of the Application of I. L. Mitchell, for order authorizing permission to abandon Public Utility Water Service and to transfer Eaglet Water System to the Atascadero Mutual Water Company.

Application No. 24973

- I. L. Mitchell; for Applicant.
- Holly E. Jones, for Atascadero Mutual Water Company.
- Senator Chris. N. Jespersen, for Atascadero Business Men's Association.
- Mrs. Lillie Brown, a consumer.

BY THE COMMISSION:

OPINION

In this application I. L. Mitchell, operating a public utility water system at Eaglet Heights near Atascadero, San Luis Obispo County, asks for authority to abandon public utility water service.

A public hearing in this matter was held at Atascadero before Examiner MacKall.

A number of years ago, I. L. Mitchell subdivided sixty acres of land, located approximately one mile south of Atascadero, into two developments, designated as Eaglet Tract No. 1 and Eaglet Tract No. 2. A water system was installed and operated by Mitchell under the fictitious name of Eaglet Water Company. At the present time only thirteen consumers obtain water from Applicant, the others having been gradually absorbed by Atascadero Mutual Water Company, which operates in adjacent and adjoining territory. Applicant's well has caved in and the mains are in need of rehabilitation. A temporary connection has been made with the Mutual Company for emergency water. Mr. Mitchell is in no financial condition to make the necessary repairs and improvements to render adequate water service to his thirteen consumers and has therefore arranged to transfer the water system to the

Atascadero Mutual Water Company which has agreed to assume the obligation to supply water throughout the two tracts.

The residents of Eaglet are fortunate in being able to obtain, without delay, a reliable and adequate water supply from the Atascadero Mutual Water Company. It appears, therefore, that it will be to the mutual benefit of all parties concerned to approve requests of Applicant.

ORDER

Application having been filed with the Railroad Commission as entitled above, a public hearing having been held thereon, the matter having been duly submitted, and the Commission now being fully advised in the premises,

IT IS HEREBY ORDERED that I. L. Mitchell be and he is hereby authorized to transfer on or before September 30, 1942, to Atascadero Mutual Water Company his public utility water system and appurtenant facilities supplying water in Eaglet Heights, San Luis Obispo County, and thereupon and thereby stand relieved of all further public utility obligations and liabilities in connection therewith, subject to the following condition:

1. On or before the 10th day of October, 1942, I. L. Mitchell shall file with this Commission a copy of the final instrument of conveyance for the properties herein authorized to be transferred.

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

Dated at San Francisco, California, this 14th day of July 1942.

Justin J. Greene
Ray H. Riley
T. J. Baker
Francis L. Havens
Richard L. ...

COMMISSIONERS.