

Decision No. 36396

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of

H. R. POLLOCK, doing business  
under the fictitious name of  
Pollock Pines Water Company,  
TO SELL: and of

EUELL Y. GRAY, to purchase the  
Distribution System used for the pur-  
pose of distributing and selling water  
to the residents of Pollock Pines,  
State of California.

Application  
No. 25616

**ORIGINAL**

BY THE COMMISSION:

O P I N I O N

H. R. Pollock, doing business under the fictitious name of Pollock Pines Water Company, asks permission to sell and transfer his public utility water system to Euell Y. Gray. The properties comprising the water system are described in the deed filed in this application as Exhibit "A."

The water system is situate in the Pollock Pines Subdivision in El Dorado County. It consists of several parcels of land, springs, wells, pumps, distribution pipes, meters, and materials and supplies. The water system is being operated under the authority granted by Decision No. 31382, dated October 24, 1938. For 1942, H. R. Pollock

reports operating revenues of \$936.41. His report shows 63 consumers connected to his water system.

H. R. Pollock has agreed to sell his public utility water system to Euell Y. Gray for \$2,500. Of the purchase price, \$500 is to be paid in cash and the remainder, to-wit: \$2,000 is to be represented by a promissory note bearing interest at 4% per annum. The note is payable in fifty equal payments of \$40 per month, each payment being due on or before the 21st day of each calendar month until the total of the principal is paid. The payment of the note will be secured by a mortgage which will be a lien on the public utility water system. A copy of the note and a copy of the mortgage is on file in this application as Exhibit "B."

In Decision No. 32551, dated November 14, 1939, in Application No. 22739, reference is made to a report prepared by a Commission Hydraulic Engineer in which the original cost of the utility properties was found to be \$3,656.

Although the certificate of public convenience and necessity granted by said Decision No. 31382 is being transferred, the parties have placed no value on such certificate.

H. R. Pollock has on file with the Commission, rates, rules, and regulations under which he is rendering a public utility water service. These rates, rules, and regulations should be adopted by Euell Y. Gray if he acquires the water system now owned and operated by H. R. Pollock.

Q R D E R

The Commission having considered applicants' requests and it being of the opinion that this is not a matter on which a hearing is necessary; that the money, property or labor to be procured or paid for by the issue of the note herein authorized is reasonably required by Euell Y. Gray for the purpose herein stated, and that this application should be granted subject to the provisions of this Order, therefore

IT IS HEREBY ORDERED, as follows:

1. H. R. Pollock may, after the effective date hereof and on or before September 1, 1943, sell and transfer to Euell Y. Gray, the properties described in the deed filed in this Application as Exhibit "A." Said Euell Y. Gray may acquire and operate said properties.

2. Euell Y. Gray may, after the effective date hereof and on or before September 1, 1943, issue in part payment for said properties of H. R. Pollock, his note for the sum of not exceeding \$2,000 and secure the payment of said note by the execution of a mortgage, said note and said mortgage to be similar in form to the note and mortgage filed in this application as Exhibit "B," provided that the authority herein granted to execute a mortgage is for the purpose of this proceeding only, and is granted only insofar as this Commission has jurisdiction under the terms of the Public Utilities Act and is not intended as an approval of said mortgage as to such other legal requirements to which said

mortgage may be subject.

3. The authority herein granted will become effective when Euell Y. Gray has paid the minimum fee prescribed by Section 57 of the Public Utilities Act which minimum fee is Twenty-five (\$25.00) Dollars, and when said Euell Y. Gray has advised the Commission that he will adopt as his own the rates, rules and regulations filed by H. R. Pollock with the Railroad Commission.

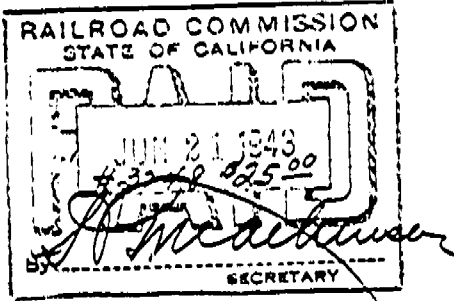
4. The authority herein granted is subject to the condition that the consideration paid for said public utility water system by Euell Y. Gray shall not be deemed as a determination of the value of said water system or as a finding of the value thereof for the purpose of fixing rates.

5. Within thirty (30) days after the sale and transfer of the properties herein authorized, Euell Y. Gray shall file with the Railroad Commission a copy of the deed by which he acquires and holds title to said water system, together with a copy of the note and a copy of the mortgage executed under the authority herein granted.

6. Within thirty (30) days after the sale and transfer of said properties, Euell Y. Gray shall file with this Commission for its approval, four maps or sketches drawn to an indicated scale upon a sheet approximately  $8\frac{1}{2}$  x 11 inches in size, delineating thereupon in distinctive markings the boundaries of the authorized service area; provided, however, that such maps or sketches shall not thereby be considered by this Commission or any other public body as a final or conclusive determination or establishment of the

dedicated area of service, or any portion thereof.

Dated at San Francisco, California, this 1<sup>st</sup> day  
of June, 1943.



*Francis A. Havens*

---

*J. J. [unclear]*

---

*Justin J. [unclear]*

---

*[unclear]*

---

*[unclear]*

---