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Decision No. 36701

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of Rachael M. Labadie for an Order authorizing her to sell and dispose of a public water system in the unincorporated town of Camptonville, Yuba County, State of California.

Application No. 25743

ORIGINAL

BY THE COMMISSION:

ORDER

Rachael M. Labadie, owner and operator of a public utility supplying water for domestic and other purposes to the residents of the unincorporated town of Camptonville in Yuba County, California, asks this Commission for authority to sell and dispose of her water properties to Acton M. Cleveland and Maudelone M. Cleveland, his wife. The necessary investigation having been made and it appearing that this is not a matter in which a public hearing is necessary and that the application should be granted, now, therefore,

IT IS HEREBY ORDERED as follows:

1. Rachael M. Labadie is hereby authorized to transfer to Acton M. Cleveland and Maudelene M. Cleveland, his wife, that certain public utility water system, together with certain real property including all water rights possessed by her in Camels Gulch and the conduits, pipelines and accessories appurtenant thereto, used in supplying water for domestic and other purposes to the residents of the unincorporated town of Camptonville and in the vicinity thereof, in Yuba County, said property being more particularly described in the application herein and in the statement attached thereto, marked Exhibit "A", which are hereby made a part of this Order by reference.

2. Upon compliance with the following conditions, said Rachael M. Labadie shall be relieved of all public utility obligations and liabilities in connection with said water system:

(a) Such transfer shall be made on or before December 31, 1943, and a certified copy of the final instrument of conveyance shall be filed with this Commission on or before said date.

(b) A signed written statement shall be filed with this Commission, on or before December 31, 1943, indicating the date on which control and possession were relinquished.

(c) All deposits which customers are entitled to have refunded on or before the date of actual transfer, under the utility's filed rates, rules and regulations, shall be refunded and a signed written statement showing the disposition of any such deposits or that no such deposits existed, shall be filed in this proceeding prior to December 31, 1943.

3. Acton K. Cleveland and Maudelene K. Cleveland, his wife, are hereby directed as follows:

(a) To file, on or before December 31, 1943, four copies of rates for service in Camptonville and vicinity, which rates shall not be higher, in any particular, than the applicable rates now on file.

(b) To file, on or before December 31, 1943, four sets of rules and regulations applicable to water service in the Camptonville area, each set of which shall contain a map or sketch, drawn to an indicated scale, upon a sheet approximately 8½ x 11 inches in size, delineating thereupon in distinctive markings the boundaries of the present service area and the location thereof with reference to the surrounding territory; it being understood, however, that the filing of such sketch shall not be considered as a conclusive determination of the area of dedication.

(c) To file, on or before December 31, 1943, four copies of a comprehensive map, drawn to an indicated scale of not less than 600 feet to the inch, delineating the area served and its location with reference to sources of supply and surrounding territory. Such map shall show the source and date thereof, and include data sufficient to determine clearly the location of the various properties comprising the service area.

(d) The consideration for the transfer herein authorized shall not be urged before this Commission or any other public body as a finding of value for rate fixing or any purpose other than the transfer herein authorized.

This Order shall become effective immediately.

Dated at San Francisco, California, this 9<sup>th</sup> day of November, 1943.

Francis A. Havenner

J. H. Baker

Justin F. Cassen

Richard R. Kasper

Francis O. Cary

Commissioners.