

Decision No. 36859

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
CALIFORNIA-PACIFIC UTILITIES COMPANY,
a corporation, and

EMMA C. YOUNG, doing business as
WEAVERVILLE WATER WORKS,

For an Order authorizing conveyance
of property by CALIFORNIA-PACIFIC
UTILITIES COMPANY to EMMA C. YOUNG,
doing business as WEAVERVILLE WATER
WORKS

ORIGINAL

Application No. 25799

BY THE COMMISSION:

O P I N I O N

California-Pacific Utilities Company, hereinafter referred to as Utilities Company, a corporation, engaged in the business, among others, of supplying electricity to the public in and in the vicinity of Weaverville, Trinity County, asks permission to sell and convey approximately 45 acres of land and water rights to Emma C. Young, doing business as Weaverville Water Works, who joins in the application. The land and water rights are described in Exhibit "A" on file in this application.

A public hearing in this matter was held by Examiner MacKall at Weaverville.

The record shows that the Utilities Company owns a 30-kilowatt hydro-electric generating plant and water rights in East Weaver Creek. It and its predecessor in interest, Weaverville Electric Company, have not used the hydro-electric plant since 1923. It is purchasing from Pacific Gas and Electric Company all of the electric energy sold in Weaverville and vicinity.

The capacity of the hydroelectric plant is only 30 kilowatts which is not enough to meet the demands of the Weaverville area. Moreover, the water supply is not sufficient during a large portion of the year to operate the plant. In view of the fact that the plant has not been operated for many years and that it is wholly inadequate, applicant has agreed to sell the land and water rights to Emma C. Young for \$2,500, payable upon the transfer of the properties. The Utilities Company will retain the generator, switchboard, switches, transformers and belting located in the hydro plant. Aside from the land it will sell to Emma C. Young "a one-half share of an undivided one-sixteenth interest of, in and to the whole of the Howe, Seavey and Garden Gulch ditches and rights to the water of East Weaver Creek, appurtenant and belonging thereto - the same being in Weaverville Mining District in said Trinity County".

Emma C. Young is acquiring the land and water rights for the purpose of having more water available for her consumers in Weaverville. We believe that the transaction is in the public interest and that the application should be granted as provided in the following order.

O R D E R

A public hearing having been held on the above-entitled application, the matter having been duly submitted, and the Commission being fully advised in the premises,

IT IS HEREBY ORDERED that California-Pacific Utilities Company, a corporation, be and it is hereby authorized to sell and convey to Emma C. Young, on or before April 30, 1944, the properties to which reference is made in the foregoing Opinion and which properties are more particularly described in the deed filed in this application as Exhibit "A".

IT IS HEREBY FURTHER ORDERED that the authority herein granted is subject to the condition that the consideration paid for said properties by said Emma C. Young shall not be urged before this Commission, or any court or other public body, as determining the value of said properties for any purpose other than the transfer herein authorized.

IT IS HEREBY FURTHER ORDERED that the authority herein granted shall become effective upon the date hereof.

IT IS HEREBY FURTHER ORDERED that within thirty (30) days after the sale and conveyance of said properties, California-Pacific Utilities Company shall file with the Railroad Commission a true and correct copy of the deed executed for the purpose of conveying said properties to Emma C. Young.

Dated at San Francisco, California, this 8th day of February, 1944.

Richard L. Hatcher

Justus F. Coe
Francis D. Havenner
Frank W. Orr
Commissioners.