

Decision No. 36957

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Sale of
GIBSON WATER COMPANY,
a Public Utility.

Application No. 26030

BY THE COMMISSION:

ORDER

Marshall Gibson and Ethel Gibson, doing business as Gibson Water Company, and engaged in selling water for domestic purposes in two adjoining subdivisions, known as Rexland Acres and Green Acres, about four miles south of Bakersfield, Kern County, ask for authority to sell the water system for a consideration of \$5,150 to William Riley Combs and Shade Combs, who join in the application.

Marshall Gibson and Ethel Gibson are operating under a certificate of public convenience and necessity granted by the Commission in its Decision No. 36186, dated February 23, 1943. The investment in fixed capital installed, as of December 31, 1943, is shown in Exhibit "A" attached to the application to be \$7,553, and the reserve for accrued depreciation amounts to \$1,104, which sum has been earned. The operating revenues for the year 1943 were shown to be \$3,053 and the operating expenses for the same period, including depreciation and taxes, total \$2,136, leaving a net revenue of \$917. There are 110 consumers receiving service from the system.

The reasons for entering into the proposed sale are that Marshall Gibson is a part-time employee of the California Department of Public Works and expects to be transferred to another location in the State. William Riley

Combs and Shade Combs reside in and own substantial portions of land within and adjoining the service area of the utility and will be in a position to continue operations of the system.

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. Marshall Gibson and Ethel Gibson, doing business as the Gibson Water Company, be and they are hereby authorized to transfer to William Riley Combs and Shade Combs, that certain public utility water system used in supplying domestic service to the residence of two subdivisions known as Rexland Acres and Green Acres, Kern County, said property being more particularly described in the grant deed and the bill of sale attached to the application as Exhibits "C" and "D," respectively, and hereby made a part hereof by reference.

2. Upon compliance with the following conditions, said Marshall Gibson and Ethel Gibson 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 May 31, 1944, 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 May 31, 1944, 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 May 31, 1944.

3. William Riley Combs and Shade Combs are hereby directed to file, on or before May 31, 1944, four copies of rates for service in Rexland Acres and Green Acres subdivisions, Kern County, which rates shall not be higher, in any particular, than the applicable rates now on file.

4. That the authority herein granted by this Commission to the parties to transfer and purchase the properties in question, shall not be construed to be a finding by this Commission, or otherwise, of the value of said properties.

This Order shall become effective upon the date hereof.

Dated at San Francisco, California, this 28th day of March, 1944.

Richard Lasker
Justice F. Quenen
Francis R. Havens
Ernest Ross
Laurel Lawrence
Commissioners.