

Decision No. 37076

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
 GRACE DASSEL to sell and of LYNDON
 FARWELL and J. WALTER CRIDER to purchase
 the Telephone System commonly known as
 Morgan Hill Telephone Company.

Application No. 26066

ORIGINAL

BY THE COMMISSION:

OPINION AND ORDER

In this application Grace Dassel requests authority to sell her telephone properties to Lyndon Farwell and J. Walter Crider, who request authority to purchase said properties.

The properties to be transferred are operated under the name of Morgan Hill Telephone Company in the town of Morgan Hill and surrounding territory all in Santa Clara County, California.

Grace Dassel has operated this telephone system since the death of her husband several years ago. She desires to dispose of the properties on account of ill health. Lyndon Farwell and J. Walter Crider are officers of Los Gatos Telephone Company, a public utility furnishing telephone service in Los Gatos and surrounding territory, and are experienced in the operation of telephone properties.

In an amendment to the application, the net sum proposed to be paid for the real and personal property described in Exhibit "A-1" and in Exhibit "A-2" attached to the application is said to be \$17,051.40. The transfer will be made on a cash basis. The real estate to be transferred is described as follows in Exhibit "A-1."

"All of Lot Eight (8) and the adjoining seventeen (17) feet of Lot Nine (9) in Block Eighty-one (81), as laid down, designated and delineated upon that certain Map entitled, 'Morgan Hill Ranch Map No. 2 of the Town of Morgan Hill, being C. H. Phillip's Sub-division of part of the Rancho Ojo de Agua de la Coche, Santa Clara County, California,' and which said Map was filed for record in the office of the County Recorder of the County of Santa Clara, State of California, on September 10, 1892, in Book 'G' of Maps, page 19 - the property hereby conveyed being located on the southerly side of Second Street in said town of Morgan Hill and having a uniform width of fifty-seven (57) feet and a uniform depth of one hundred forty (140) feet, together with improvements thereon."

The personal property to be transferred as described in Exhibit "A-2" includes a Kellogg switchboard, central office equipment and furniture, telephone station equipment, aerial cable, aerial wire, pole lines with crossarms and miscellaneous equipment, a Chevrolet truck, materials and supplies located in the storeroom, and office supplies.

The Commission has considered the application and is of the opinion that this is not a matter in which a hearing is required, and that the transfer should be authorized, therefore

IT IS ORDERED that Grace Dassel be, and she hereby is, authorized to sell and transfer, on or before August 1, 1944, the telephone properties described and referred to in this application, to Lyndon Farwell and J. Walter Crider; and Lyndon Farwell and J. Walter Crider are hereby authorized to acquire and operate said telephone properties.

IT IS FURTHER ORDERED that within thirty (30) days after the transfer of the telephone properties under the authority herein granted, Lyndon Farwell and J. Walter Crider shall file with the Railroad Commission a certified copy of the instrument of conveyance under which they acquire and hold title to said properties.

IT IS FURTHER ORDERED that Lyndon Farwell and J. Walter Crider shall file with the Railroad Commission, not later than thirty (30) days after the transfer of said properties as herein authorized, a notice that they adopt the tariff schedules, including rules and regulations, then operative in the service territory of Morgan Hill Telephone Company.

The action taken herein shall not be construed to be a finding of value for any purpose.

For all other purposes the effective date of this Order shall be
twenty (20) days from and after the date hereof. . .

Dated at San Francisco, California, this 23rd day of
March, 1944

Richard L. Ladd

Justin J. Craven

Francis C. Havenner

Frank J. Lawrence

Commissioners