

Decision No. 37095

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of  
J. D. WHITENER and OTTO D. HOLM for  
an order authorizing the sale of  
LORENZO WATER WORKS

**ORIGINAL**

Application No. 26088

BY THE COMMISSION:

ORDER

J. D. Whitener, doing business as Lorenzo Water Works, and engaged in selling water for domestic purposes in the Lorenzo District of the Town of Boulder Creek, Santa Cruz County, asks authority to sell the water system for a consideration of \$7,500 to Otto D. Holm, who joins in the application.

The original cost of the system is shown to be \$10,431. The operating revenues for the year 1943 are reported to be \$1,936 and the operating expenses for the same period, including depreciation, total \$1,618, leaving a net revenue of \$320. There are 107 consumers receiving service from the system.

Mr. Whitener desires to sell the system by reason of failing health. Mr. Holm resides in the town and owns approximately 43 acres of watershed lands contributing to the water supply of the said waterworks. He will be in a position to continue and properly maintain its operations.

An 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. That J. D. Whitener, owning and operating a water system under the name and style of Lorenzo Water Works, be and he is hereby authorized to transfer to Otto D. Holm that certain public utility water system used in supplying domestic service to consumers, in and in the vicinity of the Town of Boulder Creek, Santa Cruz County, said property being more particularly described in the Bill of Sale and the Grant Deed attached to the application as Exhibit "B";
2. That such transfer shall be made on or before August 1, 1944, and that J. D. Whitener shall file a certified copy of the final instrument of conveyance with this Commission on or before said date;
3. That J. D. Whitener shall file a written statement with this Commission, on or before August 1, 1944, indicating the date on which control and possession of said water system were relinquished;
4. That on or before the date of actual transfer of said system, J. D. Whitener shall refund all deposits which consumers are entitled to have refunded, under the utility's filed rates, rules and regulation, and shall file a written statement, on or before August 1, 1944, showing disposition of any such deposits, or that no deposits existed;
5. That upon compliance with the above Order of the Commission, said J. D. Whitener shall be relieved of all public utility obligations and liabilities in connection with said system;
6. That Otto D. Holm is hereby directed to file on or before August 1, 1944, four copies of rates for water service furnished by this system in the Town of Boulder Creek, Santa Cruz County, which rates shall not be higher, in any particular, than the applicable rates now on file;
7. That Otto D. Holm is hereby directed to file, on or before August 1, 1944, four sets of rules and regulations applicable to water service in the Town of Boulder Creek, Santa Cruz County, 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 dedicated;
8. That Otto D. Holm is hereby directed to file, on or before August 1, 1944, four copies of a comprehensive map, drawn to an indicated scale of not less than 600 feet to the inch, delineating the area served in the Town of Boulder Creek, Santa Cruz County, and its location with reference to source 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.

Any finding of value made herein shall be limited solely to the purposes of the proceeding herein involved.

This Order shall become effective upon the date hereof.

Dated at Los Angeles, California, this 31<sup>st</sup> day of  
May, 1944.

Robert Kachse

Justin F. Casner

Francis J. ...

Commissioners.