

Decision No. 37554

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of

PEARL RONSHEIMER,

as Administratrix of the Estate of
A. J. Ronsheimer, also known as Anton
J. Ronsheimer, Deceased, (said deceased
having in his lifetime conducted a
public utility known as "Anton J.
Ronsheimer Water System and Utility"),
for a permit to sell and transfer
operating utility assets.

ORIGINAL

Application No. 26411.

In the Matter of the Application of

JAMES J. DOWNEY AND HORACE S. PORTER,

under the firm name of "Pennygrove Water
Company" to encumber certain operating
utility assets.

BY THE COMMISSION:

O P I N I O N

In this application, Pearl Ronsheimer, Administratrix of the Estate of
A. J. Ronsheimer, also known as Anton J. Ronsheimer, owning a public utility water
system at Pennygrove, Sonoma County, California, asks permission of the Commission
to sell the property to James J. Downey and Horace S. Porter, who intend to operate
it under the firm name and style of the "Pennygrove Water Company." The Superior
Court of Sonoma County has authorized her, with the approval of the Commission, to
transfer the property. Upon the transfer of the properties the Central Bank of
Oakland will give a credit of \$1,800 upon its claim against the estate of deceased.

For 1943 the operating revenues of the water system are reported at
\$1,196. There are presently 52 active services attached to the water system. The
investment in the properties is in excess of the sale price.

The Applicants, James J. Downey and Horace S. Porter, are hydraulic engineers and at present own and operate the water systems at Dillon Beach and Inverness Park, in Marin County. They ask permission to issue to the Central Bank of Oakland a promissory note for the sum of \$1,300 and execute a deed of trust and mortgage of chattels to secure the payment of the note. A copy of the note, a copy of the deed of trust, and a copy of the mortgage of chattels are on file in this application as Exhibits "A," "B" and "C," respectively. The note will bear interest at the rate of 5% per annum, payable monthly. The principal is payable in monthly installments of \$25 until December 1, 1948, on which date the entire unpaid balance becomes due and payable.

The Commission has considered applicants' requests and is of the opinion that this is not a matter in which a public hearing is necessary and that this application should be granted, subject to the provisions of this order, therefore,

IT IS HEREBY ORDERED as follows:

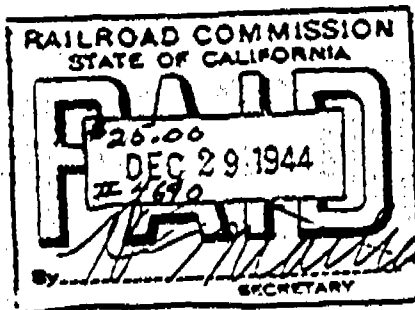
1. Pearl Ronsheimer, Administratrix of the Estate of A. J. Ronsheimer, also known as Anton J. Ronsheimer, may, after the effective date hereof and on or before January 31, 1945, transfer and convey to James J. Downey and Horace S. Porter, that certain public utility water system used in supplying domestic service to consumers in and in the vicinity of Penngrove, Sonoma County, California, said property being more particularly described in the application.
2. James J. Downey and Horace S. Porter may, after the effective date hereof and on or before January 31, 1945, issue a promissory note for the sum of \$1,300 and execute a deed of trust and a mortgage of chattels to secure the payment of said note, said note, deed of trust and mortgage of chattels to be in, or substantially in, the same form as those filed with the application and marked Exhibits "A," "B," and "C," respectively. The proceeds realized through the issue of said note shall be used by said James J. Downey and Horace S. Porter to refund the indebtedness incurred by them in acquiring the water system.
3. If James J. Downey and Horace S. Porter acquire said properties, they are hereby directed to file on or before January 31, 1945, four copies of rates for water service furnished by this system in and in the vicinity of Penngrove, Sonoma County, California, which rates shall not be higher, in any particular, than the applicable rates now on file.
4. If James J. Downey and Horace S. Porter acquire said properties, they are hereby directed to file, on or before January 31, 1945, four sets of rules and regulations applicable to water service in and in the vicinity of Penngrove, Sonoma County, California, each set of which shall contain a map or sketch drawn to an indicated

scale, on sheets approximately 8 1/2 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 a sketch shall not be considered as conclusive determination of the area dedicated.

- 5. If James J. Downey and Horace S. Porter acquire said properties, they are hereby directed to file, on or before January 31, 1945, 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 and in the vicinity of Penngrove, Sonoma County, California, and its location with reference to the source of supply and the surrounding territory. Such a map shall show the source and date thereof, and include data to determine clearly the location of the various properties comprising the service area.
- 6. The authority herein granted will become effective when James J. Downey and Horace S. Porter, or either of them, have paid the minimum fee prescribed by Section No. 57 of the Public Utilities Act, which fee is Twenty-five Dollars (\$25.00); and
- 7. That within thirty (30) days after the execution of the deed of trust, mortgage of chattels and note under the authority herein granted, James J. Downey and Horace S. Porter, or either of them, shall file a copy of each with the Railroad Commission.
- 8. The action taken herein shall not be construed as a finding of value for any purpose other than the proceeding herein involved.

Dated at San Francisco California, this 19th day of December

1944.



Richard K. ...
Justice F. Casner
Frank C. Havens
Arthur W. ...
Frank ...
 COMMISSIONERS.