

Decision No. 37570

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of E. BURR, an individual, d/b/a/)
CENTRAL GARDENS WATER COMPANY to)
sell and W. R. QUINNEY to purchase)
the assets and operative rights of)
CENTRAL GARDENS WATER COMPANY, a)
public utility water system.)

Application No. 26473

ORIGINAL

BY THE COMMISSION:

ORDER

E. Burr, doing business as Central Gardens Water Company, and owning and operating a water system and selling water for domestic use in a subdivided area near Lynwood, Los Angeles County, asks the Commission for authority to transfer the water system, together with certificate of public convenience and necessity and other operative rights, to W. R. Quinney, who joins in the application.

The Commission in its Decisions No. 21485, dated August 23, 1929, and No. 27908, dated April 23, 1935, granted to E. Burr a certificate of public convenience and necessity to operate a public utility water system in Tracts Nos. 7984, 5103, 10587, 10442, 10634, 6722 and 33.485 acres adjacent, lying between Wright Road and Flood Control, Los Angeles County. Owing to Mr. Burr's age and interest in other business projects, he desires to retire from public utility water business. Mr. Quinney is acquiring the property as an investment and will continue the operations of the system. The sale price of the property is \$25,000, of which \$5,000 is payable upon the issuance of an order of the Railroad Commission authorizing the sale of the properties. The remainder is payable in monthly installments of \$250 or more, including interest at 6% on all deferred payments. The title to the property passes to the purchaser upon the payment of the \$5,000.

The fixed capital, as of October 1, 1944, is reported as \$41,220, the operating revenues and expenses for the nine-month period ending October 1, 1944, were \$8,057 and \$5,848, respectively, leaving a net operating revenue of \$2,209.

The reserve for accrued depreciation as of October 1, 1944, is reported as \$18,272. Approximately 590 consumers are receiving service from the system.

It appearing that this is not a matter in which a public hearing is necessary, and that the application should be granted, subject to the provisions of this Order, now, therefore,

IT IS HEREBY ORDERED that E. Burr, doing business as Central Gardens Water Company, be and he is hereby authorized to sell and transfer to W. R. Quinney the certificate of public convenience and necessity defined in the Commission's Orders in its Decisions No. 21485 and No. 27908, and his public utility property together with all operative rights, described in the Bill of Sale attached to the application, said sale and transfer to be made in accordance with the terms and conditions of said Bill of Sale.

IT IS HEREBY FURTHER ORDERED that E. Burr shall be relieved of all public utility obligations and liabilities in connection with said system upon compliance with the following conditions:

1. That such transfer shall be made on or before March 31, 1945, and that E. Burr shall file a certified copy of the final instrument of conveyance with this Commission on or before said date;
2. That E. Burr shall file a written statement with this Commission, on or before March 31, 1945, indicating the date on which control and possession of said water system was relinquished;
3. That on or before the date of actual transfer of said system, E. Burr shall refund all deposits which consumers are entitled to have refunded, under the utility's filed rates, rules and regulations, and shall file a written statement, on or before March 31, 1945, showing disposition of any such deposits, or that no deposits existed;

IT IS HEREBY FURTHER ORDERED as follows:

1. That W. R. Quinney is hereby directed to file on or before March 31, 1945, four copies of rates for water service furnished by this system in Los Angeles County, which rates shall not be higher, in any particular, than the applicable rates now on file;
2. That W. R. Quinney is hereby directed to file, on or before March 31, 1945, four sets of rules and regulations applicable to water service near Lynwood, Los Angeles County, each set of which shall contain a map or sketch, drawn to an indicated scale, upon a sheet 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 sketch shall not be considered as a conclusive determination of the area dedicated;

- 3. That W. R. Quinney is hereby directed to file, on or before March 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 near Lynwood, Los Angeles 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.

IT IS HEREBY FURTHER ORDERED that the authority herein granted will become effective when E. Burr has paid the fee prescribed by Section 57 of the Public Utilities Act, which fee is \$25.

The action taken herein shall not be construed to be 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. Baker
Justus F. Casper
Francis D. Havens
Wm. W. Clark
Wm. J. L. ...
 COMMISSIONERS.

RAILROAD COMMISSION
 STATE OF CALIFORNIA
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Wm. J. L. ...
 SECRETARY