

Decision No. 37889

**ORIGINAL**

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA .

In the Matter of the Joint Application  
of

RIO DELL WATER UTILITY,  
JOE VILA

and

H. S. PORTER and JAMES J. DOWNEY,  
as copartners, doing business under  
the name and style of RIO DELL WATER  
COMPANY.

Application  
No. 26702

BY THE COMMISSION:

O R D E R

Joe Vila, doing business as RIO DELL WATER UTILITY,  
and engaged in the business of providing domestic water service  
in and in the vicinity of Rio Dell, in Sonoma County, asks  
authority to sell the water system and certain operative and  
non-operative property to H. S. Porter and James J. Downey, who  
propose to operate the system as a partnership under the name  
and style of Rio Dell Water Company.

Applicant Joe Vila, who is also engaged in the build-  
ing and contracting business in the Bay Area, desires to be  
relieved of the burden of operating the water system in order to  
devote his full time to his other interests.

Applicants H. S. Porter and James J. Downey, as co-  
partners, at the present time own and operate the Coast Springs  
Water Company, at Dillon Beach, Marin County, the Inverness Park

Water Company, at Inverness Park, also in Marin County, and the Penngrove Water Company, at Penngrove, Sonoma County, and will continue to operate the Rio Dell system in connection with their other properties. They will charge on the Rio Dell system the rates now filed by Joe Vila.

Purchasers have agreed to pay \$2,040 for the water system. Of this sum \$1,040 is payable in cash and \$1,000 through the issue of a note payable on or before three years after date. The Commission in Decision No. 34465, dated August 5, 1941, in application No. 24089 (a certificate and rate proceeding) found that about \$4,000 had been invested in the water system. It serves water to approximately fifty consumers. For 1944 the operating revenues amounted to \$775.

The Commission has considered applicants' request and is of the opinion that this application should be granted subject to the provisions of this order, therefore,

IT IS HEREBY ORDERED as follows:

1. Joe Vila, doing business as Rio Dell Water Utility, may, after the effective date hereof and on or before July 31, 1945, transfer to H. S. Porter and James J. Downey, as co-partners, that certain public utility water system used in supplying domestic service to consumers in and in the vicinity of Rio Dell, Sonoma County, said property being more particularly described in the deed and bill of sale on file in this application.

2. H. S. Porter and James J. Downey, as copartners, doing business under the firm name and style of Rio Dell Water

Company may, after the effective date hereof, issue to Joe Vila as part payment for said properties their promissory note for \$1,000 payable on or before three years after date with interest at the rate of not to exceed six per cent per annum.

3. Concurrently with the transfer of said properties, said Joe Vila is relieved of all public utility obligations to supply water to consumers served by said Rio Dell water system.

4. Said H. S. Porter and James J. Downey or either of them shall within thirty (30) days after they acquire said properties file with the Commission a copy of the deed and a copy of the bill of sale under which they hold title to said properties and advise the Commission when they took possession of said properties.

5. The authority herein granted will become effective when the Commission has received from said H. S. Porter and James J. Downey, copartners, or either of them, the minimum fee prescribed by Section 57 of the Public Utilities Act.

6. H. S. Porter and James J. Downey, as copartners, are hereby directed to file on or before July 31, 1945, four copies of rates for water service furnished by said system in and in the vicinity of Rio Dell, Sonoma County, which rates shall not be higher in any particular than the applicable rates now on file.

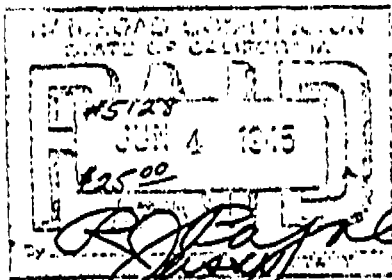
7. H. S. Porter and James J. Downey, as copartners, are hereby directed to file, on or before July 31, 1945, four sets of rules and regulations applicable to water service in and in the vicinity of Rio Dell, Sonoma County, each set of which

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 conclusive determination of the area dedicated.

8. H. S. Porter and James J. Downey, as copartners, are directed to file, on or before July 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 Rio Dell, Sonoma County, and its location with reference to the source of supply and the 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.

9. 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 15<sup>th</sup> day of May, 1945.



L. Harold Rudman  
Justice J. C. Geary  
Richard J. Lusk  
Frank W. Glavin  
Irving H. S. Lamm  
Commissioners