

Decision No. 38039

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
 GEORGE F. NELSON and OLGA P. NELSON
 for Order Authorizing Sale of
 Jesmond Dene Water System, supplying
 water to Jesmond Dene Unit No. 1,
 Escondido, San Diego County, California.

Application No. 26719

ORIGINAL

BY THE COMMISSION:

ORDER

George F. Nelson and Olga P. Nelson, operating under the fictitious firm name of Jesmond Dene Water System, are engaged in the business of selling water for domestic purposes in Jesmond Dene Subdivision No. 1, comprising approximately 63 acres situate $4\frac{1}{2}$ miles northwest of Escondido, San Diego County, California. Applicants ask for authority to sell and transfer their water system including certain real property for \$3,650 to Henry Zilz and Ida Zilz who join in the application.

This water system was declared to be a public utility by a judgment of the Superior Court of San Diego County, dated June 27, 1941. A certified copy of said judgment was filed with the Railroad Commission in Application No. 25944. George Nelson is employed in an essential war industry and cannot devote sufficient time to properly operate the water system. The purchaser, Henry Zilz, is a mechanic and is fully capable of operating and maintaining the water works.

The original cost of the water system is reported to be \$2,000 and the present value \$1,650. The sale price of \$3,650 covers the water system and certain real estate of which \$1,000 has been allocated to operative water property. The reported revenues and expenses for the period July 1, 1944, to April 30, 1945, were \$365.75 and \$284.19, respectively, resulting in a net revenue of \$81.56 for the ten-month period. There are twenty consumers 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, now, therefore;

IT IS HEREBY ORDERED that George F. Nelson and Olga Nelson, doing business as Jesmond Dene Water System, be and they are hereby authorized to sell and transfer to Henry Zilz and Ida Zilz that certain public utility water system used in supplying domestic service to consumers in Jesmond Dene Subdivision No. 1, San Diego County, said property being more particularly described in the application and in the escrow instructions attached to the application.

IT IS HEREBY FURTHER ORDERED as follows:

1. That such transfer shall be made on or before August 31, 1945, and that George F. Nelson and Olga Nelson shall file a certified copy of the final instrument of conveyance with the Commission on or before said date.
2. That George F. Nelson and Olga Nelson shall file a written statement with this Commission, on or before August 31, 1945, indicating the date on which control of said water system was relinquished.
3. That on or before the date of actual transfer of said system, George F. Nelson and Olga Nelson shall refund all deposits which consumers are entitled to have refunded.
4. That upon compliance with the above Order of the Commission, said George F. Nelson and Olga Nelson shall be relieved of all public utility obligations and liabilities in connection with said system.
5. That Henry Zilz and Ida Zilz are hereby directed to file, on or before August 31, 1945, four copies of rates for water service furnished by this system at Jesmond Dene Unit No. 1, San Diego County, which rates shall not be higher in any particular than the rates now being charged.
6. That Henry Zilz and Ida Zilz are hereby directed to file, on or before August 31, 1945, four sets of rules and regulations applicable to their water service at Jesmond Dene Unit No. 1, Escondido, San Diego County, California, 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 its location with reference to the surrounding territory; this is not, however, to be considered as a final determination of the area of service.

The action taken herein shall not be construed to be a finding of value for any purpose other than the proceeding involved herein.

This Order shall become effective upon the date hereof.

Dated at San Francisco, California, this 26th day of

June, 1945.

Harold Rudman

Justin J. Quisenberry

Richard K. Ketchum

James J. Quisenberry

Commissioners.