

Decision No. 38209

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
SAN GABRIEL VALLEY WATER SERVICE to)
Purchase, and LUISA C. LOPEZ, doing)
business as Linda Vista Water Company)
to sell, a Certain Water Producing)
and Distributing System situate in)
Unincorporated Territory in the County)
of Los Angeles near the City of)
Whittier.)

Application
No. 26876

ORIGINAL

BY THE COMMISSION:

O P I N I O N

In this application, Luisa C. Lopez asks permission to sell for \$3,800 her public utility water properties to San Gabriel Valley Water Service.

Luisa C. Lopez is presently engaged in producing and supplying water to consumers under the name and style of Linda Vista Water Company, within the unincorporated area described generally as situate north of Whittier Boulevard, east of San Gabriel River, and west of Guirado Street, in Los Angeles County. The Commission granted her a certificate of public convenience and necessity by Decision No. 19941, dated June 29, 1928. She supplies water to about 70 consumers at a \$1.25 flat rate. The cost of her properties is reported as follows:

<u>Item</u>	<u>Estimated Orig- inal Cost</u>	<u>Depreciated Cost</u>
Mains	\$2,260	\$1,297
Services	1,058	445
Pumping Station Lands	800	800
Pumping Station Buildings	300	151
Wells	1,450	832
Pumping Equipment	1,400	306
Total	<u>\$7,268</u>	<u>\$3,831</u>

The area served by Seller is contiguous to the area served by San Gabriel Valley Water Service. The latter proposes to connect the two distributing systems. It is alleged in the petition that the transfer of the properties is in the public interest for the reason that the present owner of the Linda Vista Water Company properties is without means to make the necessary additions and improvements to said properties, and that San Gabriel Valley Water Service is in a position to do all things reasonably required in the interest of adequate and efficient service of water to present and prospective consumers in the territory now served by Luisa C. Lopez. The order herein will authorize the transfer of said properties, but such order does not authorize San Gabriel Valley Water Service to charge its rates in the area now served by Luisa C. Lopez. The rates now charged by her should be continued until a change is authorized by the Commission.

The law provides that the Commission has no power to authorize the capitalization of a certificate of public convenience and necessity, or the right to own, operate or enjoy the same in excess of the amount (exclusive of any tax or annual charge) actually paid to the State as a consideration for the issuance of such certificate of public convenience and necessity.

Q R D E R

The Commission, having considered applicants' request and it being of the opinion that this is not a matter on which a 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. Luisa C. Lopez may, on or before November 1, 1945, sell her public utility water properties described in Exhibit "A" on file in this application to San Gabriel Valley Water Service.

2. San Gabriel Valley Water Service, if it acquires said public utility water properties of Luisa C. Lopez, shall operate said properties under the rates, rules and regulations now on file by Luisa C. Lopez until such time as the Commission authorizes it to change said rates, rules and regulations.

3. San Gabriel Valley Water Service shall, on or before December 1, 1945, if it acquires said properties, file with the Railroad Commission a suitable map or sketch, drawn to an indicated scale upon a sheet 8 1/2 x 11 inches in size, delineating thereupon in distinctive markings the boundaries of the present service area in which Luisa C. Lopez is authorized to conduct public utility water business, provided, however, that such map or sketch shall not thereby be construed by this Commission or any other public body as a final or conclusive determination or establishment of the dedicated area of service, or any portion thereof.

4. San Gabriel Valley Water Service, if it acquires said water properties, shall file with the Commission, on or before December 1, 1945, four copies of a comprehensive map, drawn to an indicated scale of not less than 600 feet to the inch, upon which shall be delineated by appropriate markings the territory presently served by Luisa C. Lopez. This map shall be reasonably accurate as to the source and date thereof and include sufficient data to determine clearly and definitely the location of the property comprising the entire utility area of service of said Luisa C. Lopez, provided, however, that such map shall not be thereby considered by this Commission or any other public body as a final or conclusive determination or establishment of the dedicated area of service, or any portion thereof.

5. The authority herein granted will become effective twenty (20) days after the date hereof.

6. 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 12th day of September, 1945.

David Cudman
Justin F. Cooney
Frank W. [unclear]
John H. [unclear]
 Commissioners