

Decision No. 38213

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

**ORIGINAL**

In the Matter of the Application of  
SAN JOSE WATER WORKS, a corporation,  
and CITY OF SAN JOSE, a municipal  
corporation, for an order authorizing  
the sale of fire hydrants by said  
Water Works to said City.

Application No. 26870

BY THE COMMISSION:

O. B. D. E. R

The San Jose Water Works; a corporation, engaged in the business of furnishing water for domestic, commercial, and industrial purposes in, and in the vicinity of the City of San Jose, Santa Clara County, California, asks the Commission for authority to sell and transfer certain fire hydrants to the City of San Jose, a municipal corporation, which joins in the application.

The City of San Jose at the present time pays the water works a monthly charge of \$2.50 each for municipally-owned and maintained fire hydrants, and \$3.25 per month for fire hydrants owned and maintained by the utility. The city desires to acquire and maintain all fire hydrants within its corporate limits. The water works is of the opinion that it will be to the best interests of the public for the city to own and maintain all such hydrants.

Applicants have mutually agreed that the sum of \$4,368.28 is a fair value of the remaining company-owned fire hydrants within the city and asks authority to sell said fire hydrants at the price set forth above.

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 as follows:

- (1) That the San Jose Water Works, a corporation, be and it is hereby authorized to sell and transfer, on or before December 1, 1945, to the City of San Jose, a municipal corporation, those certain fire hydrants more particularly set forth and described in Exhibits "B" and "C" attached to the application herein for a consideration of \$4,368.28.
- (2) That within thirty (30) days after the sale and transfer of said fire hydrants to the City of San Jose, the San Jose Water Works shall file with the Railroad Commission a statement showing the date upon which it relinquished control and possession of said fire hydrants.

The authority herein shall become effective upon the date hereof.

Dated at San Francisco, California, this 12<sup>th</sup> day of

September, 1945.

David C. Quinn  
Justin F. Carver

Frank W. Clark  
Scott K. Hance  
(Commissioners)