

Decision No. ~~30712~~

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA:

In the Matter of the Application of Sadie A. Beede, formerly Sadie A. Nelson, and C. E. Beaumont, to sell, and Arthur C. Voorhees, to purchase the waterworks at Biola, Fresno County, California.

Application No. 27198.

BY THE COMMISSION:

ORDER

**ORIGINAL**

Sadie A. Beede and C. E. Beaumont, doing business as the Biola Water Company, and engaged in selling water for commercial and domestic purposes in the unincorporated town of Biola, Fresno County, ask authority to sell the water system to Arthur C. Voorhees, who joins in the application. A copy of the agreement of sale is on file in this application as Exhibit A.

Applicants, Sadie A. Beede and C. E. Beaumont, desire to dispose of their interests in the water system as they no longer reside at Biola. Applicant, Arthur C. Voorhees, resides at Biola where he owns and operates a garage and he will manage and operate the water system in connection with the garage business.

The original cost of the system is reported to be \$12,544, as of December 31, 1944. The operating revenues for the year were \$1,681 and the operating expenses for the same period, including depreciation, total \$1,128, resulting in a net revenue of \$553 for the year's operations. There were 76 consumers receiving service, all on a flat rate basis.

The consideration to be paid for the properties is the sum of \$3,500. The agreement of sale provides that \$1,500 of the purchase price is payable in cash upon the execution and delivery of the agreement. The remainder, \$2,000, with interest at the rate of 5% per annum on deferred payments, is payable in monthly consecutive installments of \$100. The first payment is due February 1, 1946. In our opinion the agreement of sale constitutes an evidence of

indebtedness coming within Section 52 of the Public Utilities Act. The execution of the agreement will be authorized, subject among others to the condition that Arthur C. Voorhees pay the minimum fee, Twenty-Five Dollars (\$25.00), prescribed by Section 57 of the Public Utilities Act.

An investigation having been made and it appearing that this is not a matter in which a public hearing is necessary, that the money, property or labor to be procured or paid for by the execution of said agreement of sale is reasonably required by Arthur C. Voorhees for the purpose herein stated, and that the application should be granted, subject to the provisions of this Order, now, therefore,

IT IS HEREBY ORDERED as follows:

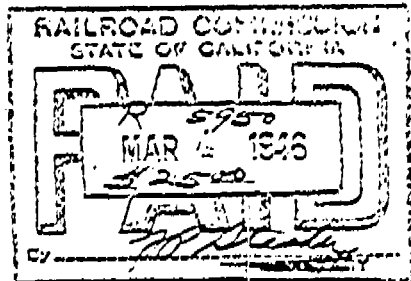
1. That Sadie A. Beede and C. E. Beaumont, owning and operating a water system under the name and style of Biola Water Company, be and they are hereby authorized to transfer to Arthur C. Voorhees that certain public utility water system used in supplying water service to consumers, in and in the vicinity of the unincorporated Town of Biola, Fresno County, said property being more particularly described in an Agreement of Sale, attached to the application as Exhibit "A." To consummate said transfer said Sadie A. Beede and C. E. Beaumont and Arthur C. Voorhees are hereby authorized to execute an Agreement of Sale, in form similar to that filed in this application as Exhibit "A":
2. That such transfer shall be made on or before April 30, 1946, and that Sadie A. Beede or C. E. Beaumont shall file a certified copy of the final instrument of conveyance with this Commission on or before said date:
3. That Sadie A. Beede or C. E. Beaumont shall file a written statement with this Commission, on or before April 30, 1946, indicating the date on which control and possession of said water system were relinquished:
4. That on or before the actual transfer of said system, Sadie A. Beede and C. E. Beaumont 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 April 30, 1946, showing disposition of any such deposits, or that no deposits existed:
5. That upon compliance with the above Order of the Commission, said Sadie A. Beede and C. E. Beaumont shall be relieved of all public utility obligations and liabilities in connection with said system:

- 6. That Arthur C. Voorhees is hereby directed to file on or before April 30, 1946, four copies of rates for water service furnished by this system in the unincorporated Town of Biola, Fresno County, which rates shall not be higher in any particular than the applicable rates now on file;
- 7. That Arthur C. Voorhees is hereby directed to file four sets of rules and regulations applicable to water service in the unincorporated Town of Biola, Fresno 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;
- 8. That Arthur C. Voorhees is hereby directed to file, on or before April 30, 1946, 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 the unincorporated Town of Biola, Fresno County, and its location with reference to the 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;
- 9. The action taken herein shall not be construed to be a finding of value for any purpose other than the proceeding herein involved; and
- 10. This Order will become effective when Arthur C. Voorhees has paid the minimum fee prescribed by Section 57 of the Public Utilities Act which fee is Twenty-Five Dollars (\$25.00).

Dated at San Francisco, California, this 26<sup>th</sup> day of February

1946.

*Harold Anderson*  
*Justus F. Quisenberry*



*James F. Lowell*  
*Harold P. Hale*

COMMISSIONERS.