

Decision No. 33383

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

ORIGINAL

In the Matter of the Joint Application of  
PT. REYES WATER SYSTEM, WALDO GIACOMINI

and

Application No. 27649

H. S. PORTER, doing business under the  
name of POINT REYES WATER COMPANY for  
authority to transfer the water system  
at Point Reyes Station, Marin County.

OPINION AND ORDER

Waldo Giacomini, doing business as Point Reyes Water System, and engaged in furnishing water service to consumers in and in the vicinity of the town of Point Reyes Station, Marin County, asks for authority to sell the water system for \$9,000 to H. S. Porter who joins in the application.

Mr. Giacomini desires to sell the system as his principal business interests are ranching and marketing and he is not experienced in operating a water property. Mr. Porter at present is part-owner and operator of five other water systems located in Marin and Sonoma Counties and he can operate this system in connection with these other properties. Mr. Porter proposes to operate this system under the firm name and style of Point Reyes Water Company.

Applicants have agreed that \$2,000 will be paid in cash and the balance, \$7,000, will be represented by a note payable in monthly installments of \$117.64, including interest at the rate of 5 per cent per annum. The payment of the note will be secured by a mortgage of chattels on the system and the equipment.

Water is obtained from springs on land owned by Josephine S. Burdell and it has been purchased from these sources for many years last past. Applicant has entered into an agreement with Josephine S. Burdell providing for the purchase of water for the system at \$50 per month for a ten-year period.

There are 96 consumers served by the water system. For the year ending December 31, 1945, the operating revenues are reported at \$3,011, and the operating expenses for the same period at \$450, which, however, includes only the taxes and the cost of water and power for the year. The original cost of the properties was estimated at \$18,914, as of August 11, 1942. This estimate was made by the Commission's engineers in connection with Application No. 24901 which was a rate proceeding.

It appearing that this is not a matter in which a public hearing is necessary, and that the application herein should be granted, now, therefore,

IT IS HEREBY ORDERED AS FOLLOWS:

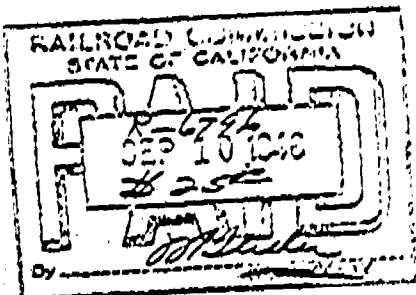
1. That Waldo Giacomini, owning and operating a water system under the name and style of Pt. Reyes Water System, be and he is hereby authorized to transfer to H. S. Porter that certain public utility water system used in supplying domestic service to consumers in and in the vicinity of the town of Point Reyes Station, Marin County, said property being more particularly described in the Bill of Sale and the Grant Deed attached to the application as Exhibit "A";
2. That such transfer shall be made on or before December 1, 1946, and that Waldo Giacomini shall file a certified copy of the final instrument of conveyance with this Commission on or before said date;
3. That Waldo Giacomini shall file a written statement with this Commission, on or before December 1, 1946, indicating the date on which control and possession of said water system were relinquished;
4. That on or before the date of actual transfer of said system, Waldo Giacomini shall refund all deposits which consumers are entitled to have refunded, under the utility's filed rates, rules and regulations, and shall file with this Commission, on or before December 1, 1946, a written statement showing the disposition of any such deposits or that no deposits existed;
5. That upon compliance with the above order of the Commission, said Waldo Giacomini shall be relieved of all public utility obligations and liabilities in connection with said system;
6. That H. S. Porter is hereby directed to file, on or before December 1, 1946, four copies of rates for water service furnished by this system in and in the vicinity of the town of Point Reyes Station, Marin County, which rates shall not be higher, in any particular, than the applicable rates now on file;
7. That H. S. Porter is hereby directed to file, on or before December 1, 1946, four sets of rules and regulations applicable to water service in and in the vicinity of the town of Point Reyes Station, Marin 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 a conclusive determination of the area dedicated;

8. That H. S. Porter is hereby directed to file, on or before December 1, 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 and in the vicinity of the town of Point Reyes Station, Marin County, and its location with reference to 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. That H. S. Porter be and he is hereby authorized, after the effective date hereof, and on or before December 1, 1946, to execute a mortgage of chattels filed in this proceeding as Exhibit "B" and to issue a note in the principal amount of \$7,000, payable in monthly installments of \$117.64, including interest, for the purpose of financing in part the purchase price of the properties herein authorized to be transferred, it being the opinion of the Commission that the money, property or labor to be procured or paid for through the issue of said note is reasonably required for the purpose specified herein, which purpose is not, in whole or in part, reasonably chargeable to operating expenses or to income;
10. That H. S. Porter shall file with the Commission a report of the issue of the note as required by the Commission's General Order No. 24-A, which order, in so far as applicable, is made a part of this Order;
11. That the authority herein granted to execute a mortgage of chattels and to issue a note will become effective when H. S. Porter has paid the minimum fee prescribed by Section 57 of the Public Utilities Act, which fee is \$25. In all other respects, the authority herein granted will become effective twenty (20) days from the date hereof.

The action taken herein shall not be construed to be a finding of the value of the properties herein authorized to be transferred.

Dated at San Francisco, California, this 3rd day of September, 1946.



Harold P. Hills  
Justice J. Coles  
Francis D. ...  
...  
R. Z. ...  
 Commissioners.