

Decision No. 40008

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Board of Directors,
OCEANO BEACH WATER COMPANY, a cor-
poration, acting as Trustees, to
transfer water system at Oceano,
San Luis Obispo County, to MORT P.
CARLEY and MARGARET A. CARLEY.

Application No. 27747

ORIGINAL

SUPPLEMENTAL OPINION AND ORDER

An earlier decision in this proceeding denied authority to transfer a water system, but without prejudice to a renewal of such request upon certification by the Franchise Tax Commissioner to the effect that all corporate franchise taxes and delinquent charges thereon had been paid. (Decision No. 39774.)

Attached to a supplemental application herein is a certified copy of a certificate of revivor, issued by the Franchise Tax Commissioner on January 9, 1947, which certifies that Oceano Beach Water Company has made payment of all taxes, penalties and interest, and that its corporate powers, rights and privileges have been revived and restored to full force and effect.

Public hearing appears unnecessary and the application will be granted. The certificate of public convenience and necessity herein authorized to be transferred is subject to the following provisions of law:

That the Commission shall have no power to authorize the capitalization of the certificate of public convenience and necessity or the right to own, operate or enjoy such certificate of public convenience and necessity in excess of the amount (exclusive of any tax or annual charge) actually paid to the State as the consideration for the issuance of such certificate of public convenience and necessity or right.

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

Good cause appearing, IT IS ORDERED that Oceano Beach Water Company, a corporation, is hereby authorized to transfer its water system at Oceano, San Luis Obispo County, California, to Mort P. Carley and Margaret A. Carley on or before June 1, 1947.

Mort P. Carley and Margaret A. Carley are hereby directed as follows:

1. To file with the Commission a certified copy of the final instrument of conveyance, and advise of the date when control and possession of the system were relinquished to them.
2. To file, on or before June 1, 1947, four copies of rates for water service, which rates shall not be higher, in any particular, than the applicable rates now on file for said system.
3. To file, on or before June 1, 1947, four sets of rules and regulations applicable to water service, each set to contain a map or sketch, drawn to an indicated scale, upon a sheet approximately 8-1/2 by 11 inches in size, showing in distinctive markings the boundaries of the present service area and the location thereof with reference to the surrounding territory. The filing of such sketch, however, shall not be considered as a conclusive determination of the area of dedication.
4. To file, on or before June 1, 1947, four copies of a comprehensive map, drawn to an indicated scale of not less than 600 feet to the inch, delineating the area served 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.

The effective date of this decision shall be the date hereof.

Dated, San Francisco, California, this 25th day of February, 1947.

James F. Hule
Justice F. Baumer
W. H. Russell
R. J. ...
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Commissioners