

Decision No. 40221

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

ORIGINAL

In the Matter of the Application of YUCCA VILLAGE for approval of the sale of YUCCA VILLAGE WATER COMPANY to THEODORE W. JURLING.

Application No. 28349

OPINION AND ORDER

Al Anderson, Fred A. Storey, Guy G. Richards, John F. Vogel, Gus B. Tamplis, Hugh Estus, Oliver Campbell, Flora K. McCann, Thomas E. Bouchey and Roland Thompson, a copartnership, engaged in real estate development and waterworks, operating under the fictitious firm name and style of Yucca Village in the real estate subdivision known as Yucca Village, ask this Commission for permission to sell their public utility water system near Morongo Valley in San Bernardino County, to Theodore W. Jurling for a consideration of \$7,000, One Thousand Dollars (\$1,000) to be paid in cash and \$6,000 on or before six months from the date of the agreement for the sale of said properties, dated December 17, 1946, secured by a promissory note bearing interest at the rate of 6% per annum.

This water system which is located adjacent to the highway between Morongo Valley and Twentynine Palms, serves water in Tracts Nos. 2865 and 3004, in San Bernardino County. The properties and interests to be conveyed include the certificate of public convenience and necessity granted the sellers by the Commission in its Decision No. 39919, dated January 28, 1947; two parcels of land described as Lot 135, in Tract No. 2865, San Bernardino County, and the North 1/2 of Southeast 1/4 of Southeast 1/4 of Northeast 1/4 of Southwest 1/4, of Section 3, Township 1, Range 5 W., S.B.B.&M., the well, pumping plant storage

tanks and distribution system, all excepting the well installed in 1946.

It appears that a public hearing in this matter is not necessary and that the application should be granted.

The certificate of public convenience and necessity authorized to be transferred herein is subject to the following provisions of law:

"That the Commission shall have no power to authorize the capitalization of this 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 authority herein granted shall not be considered to be a finding of the value of the properties herein authorized to be transferred.

Application having been made for a transfer of public utility properties, and the Commission having considered the matter, and being advised in the premises,

IT IS HEREBY ORDERED as follows:

1. Al Anderson, Fred A. Storey, Guy G. Richards, John F. Vogel, Gus B. Tamplis, Hugh Estus, Oliver Campbell, Flora K. McCann, Thomas E. Bouchey and Roland Thompson, a copartnership, operating under the fictitious firm name and style of Yucca Village, may on or before June 30, 1947, sell and transfer to Theodore W. Jurling, the properties referred to herein and described in the agreement of sale, dated December 17, 1946, a copy of which is on file in this proceeding as "Exhibit A," such sale and transfer to be in accordance with the terms and conditions of said agreement;
2. If Theodore W. Jurling acquires said properties he shall furnish and supply water service to the public under and in accordance with the rates, rules and regulations heretofore filed with the Commission by said copartnership, and shall adopt as his own said rates, rules and regulations;
3. Theodore W. Jurling shall file with the Commission within thirty (30) days after the date of acquisition of the properties under the authority herein granted, a certified copy of the deed of conveyance, and a statement showing the exact date on which he acquired said properties, and showing the amount of consumers' deposits, if any, the sellers turned over to him for return to consumers.
4. The authority herein granted will become effective twenty (20) days from and after the date of this Order.

Dated at San Francisco, California, this 29th day
of April, 1947.

Harold P. Kula
Justus G. Coomes
Dean S. Russell
Ch. F. Dunnington
Kenneth T. Pollock

Commissioners