

Decision No. 40344

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

ORIGINAL

In the matter of the Joint Application of H. S. PORTER, doing business under the name and style of COAST SPRINGS WATER COMPANY,

and

L. R. VANONI, doing business under the name and style of COAST SPRINGS WATER COMPANY.

Application No. 28376

OPINION AND ORDER

H. S. Porter, who owns and operates a water system under the fictitious firm name and style of Coast Springs Water Company, at the resort of Dillon Beach, in Marin County, California, asks the Commission for permission to sell his public utility water system for a consideration of One Thousand Dollars (\$1,000.00), to L. R. Vanoni, his local resident water superintendent,

The properties and interests to be conveyed include the certificate of public convenience and necessity granted the seller by the Commission, in its Decision No. 30807, dated April 25, 1938, seven small parcels of land, a reservoir, and earth filled dam, and a well equipped with an electrically-driven pump. Included also are 6,225 feet of transmission and distribution mains, varying in size from 1 to 3 inches in diameter.

The number of customers, revenues and expenses reported by the Company from 1942 to 1945, inclusive, are shown as follows:

	1942	1943	1944	1945
Number of customers;	97	97	99	99
Operating revenues;	\$1,415.00	\$1,479.75	\$1,504.81	\$1,506.75
Operating expenses,	<u>1,282.91</u>	<u>1,341.65</u>	<u>1,250.96</u>	<u>1,378.54</u>
Net operating revenues,	\$132.09	\$128.10	\$253.85	\$128.21

It appears that this is not a matter in which a public hearing is necessary and that this application should be granted, subject to the provisions of this order.

The authority herein granted shall not be considered to be a finding of the value of the properties herein authorized to be transferred.

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."

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. H. S. Porter, operating under the fictitious firm name and style of Coast Springs Water Company, may on or before July 30, 1947, sell and transfer to L. R. Vanoni, the properties referred to herein and described in the deed and bill of sale, a copy of which is attached to the application herein and which copy is hereby made a part of this order by reference, such sale and transfer to be substantially in accordance with the terms and conditions of said deed and bill of sale.
2. If said L. R. Vanoni acquires said properties, he shall file four (4) copies of rates for water service, such rates in no respect to be higher than the rates presently on file for such service, and shall adopt the rules and regulations now on file with the Commission.
3. L. R. Vanoni shall file with the Commission within thirty (30) days after the 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 the consumers.

The authority herein granted will become effective twenty (20) days from and after the date of this order.

Dated at San Francisco, California, this 3rd day of June, 1947.

Harold A. Hull

Justus J. Green

W. S. Powell

A. J. Dinsmore

Samuel H. Potter

COMMISSIONERS