

Decision No. 41048

**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
 JOSEPH A. WEST and ELSIE A. WEST for )  
 permission to sell all their interest )  
 in and to Jenner Water System, Jenner, )  
 California; and the application of ) Application No. 28845  
 CECIL MECUM and ETHEL MECUM for an )  
 order authorizing them as transferees )  
 of right or franchise in and to the )  
 Jenner Water System. )

OPINION AND ORDER

This is an application for an order of the Public Utilities Commission authorizing Joseph A. West and Elsie A. West, his wife, hereinafter referred to as Sellers, to sell and transfer to Cecil Mecum and Ethel Mecum, his wife, hereinafter referred to as Purchasers, a small public utility water system known as the Jenner Water System.

It appears that the water system is an integral part of certain hotel and tavern properties and business located at Jenner, Sonoma County. According to reports filed with the Commission, it serves approximately 57 consumers and produced operating revenues of \$881.33 in 1945 and of \$890.00 in 1946.

Sellers have agreed to sell their hotel, tavern and public utility water properties and business to Purchasers for \$85,000. The cost of the water system is reported at \$5,300. Purchasers have issued to Sellers in part payment for the said properties and business a 4% installment note and have executed a deed of trust to secure the payment of such note. The note is payable in monthly installments of \$400 or more. A copy of the note and a copy of the deed of trust are on file in this application. The deed of trust is a lien on the water system as well as on the hotel and tavern properties. The issue of

the note and the execution of the deed of trust, as well as the transfer of the properties, should be authorized by the Commission. However, the authority herein granted shall not be construed as a finding of the value of the properties herein authorized to be transferred.

The Commission has considered applicants' request and is of the opinion that this is not a matter on which a public hearing is necessary, that the money, property or labor to be procured or paid for through the issue of the note herein authorized is reasonably required by Purchasers for the purpose herein stated, which purpose is not, in whole or in part, reasonably chargeable to operating expenses or to income, and that this application should be granted, as herein provided, therefore,

IT IS HEREBY ORDERED as follows:

1. Joseph A. West and Elsie A. West, his wife, may sell and transfer to Cecil Mecum and Ethel Mecum, his wife, the water properties comprising the Jenner Water System, referred to herein, and Cecil Mecum and Ethel Mecum, his wife, may acquire such properties and issue in part payment therefor their 4% installment note for the principal sum of \$65,000, and execute a deed of trust to secure the payment of such note, said note and said deed of trust to be in, or substantially in, the same form as the note and deed of trust on file in this proceeding.

2. Cecil Mecum and Ethel Mecum, upon acquiring the aforesaid water system, shall adopt as their own the rates, rules and regulations now on file with the Commission covering service given by said Jenner Water System.

3. Cecil Mecum and Ethel Mecum shall file with the

Commission, on or before February 1, 1948, a statement showing the exact date upon which they acquired and commenced operating the Jenner Water System, and a copy of the deed and/or bill of sale under which they hold title to said water system.

4. The authority herein granted will become effective when Cecil Mecum and Ethel Mecum, his wife, or either of them, have paid the fee prescribed by Section 57 of the Public Utilities Act, which fee is sixty-five (\$65.00) dollars.

Dated at San Francisco, California, this 17th day of December, 1947.

Harold A. Kelly  
Justice J. Quisenberry  
Frank J. Powell  
A. J. Anderson

COMMISSIONERS

