

Decision No. 41680**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
 J. L. Brady
 For Permission to Sell Public Utility.

Application No. 29339

O R D E R

J. L. Brady, doing business as J. L. Brady Water Company, and engaged in supplying water for domestic purposes in a subdivided tract known as Sunrise Homes, located approximately one mile north-easterly of the city of Modesto, Stanislaus County, asks the Commission for authority to sell and transfer the water system for a cash consideration of \$6,500 to Maynard Smith, who joins in the application.

The Commission in its Decision No. 39663, dated November 26, 1946 in Application No. 27628 granted J. L. Brady a certificate of public convenience and necessity to operate a public utility water system in said Sunrise Homes Tract. Mr. Brady now desires to sell the system as he is not presently a resident in the tract and his time is required in connection with other business interests. Mr. Maynard Smith resides in said tract, and is engaged in farming operations in the vicinity. He desires to acquire and operate the system in connection with the farming enterprise.

The actual cost of the system as of April 1, 1948, as set out in Exhibit "A" attached to the application is \$6,588. The annual report of this utility for the year 1947 shows the operating revenues

and operating expense for the year as \$630 and \$659, respectively, resulting in a loss of \$29 for that period. At the end of the year the system was supplying 30 customers at flat rates.

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

IT IS HEREBY ORDERED that J. L. Brady, doing business as J. L. Brady Water Company, be and he is hereby authorized to sell and transfer to Maynard Smith that certain public utility water system used in supplying domestic service to customers in a subdivided tract known as Sunrise Homes, located near the City of Modesto, Stanislaus County, said system being more particularly described in the application herein.

IT IS HEREBY FURTHER ORDERED as follows:

1. That such transfer shall be made on or before August 1, 1948, and that J. L. Brady shall file a certified copy of the final instrument of conveyance with this Commission on or before said date;
2. That J. L. Brady shall file a written statement with this Commission, on or before August 1, 1948, indicating the date on which control and possession of said water system were relinquished;
3. That upon compliance with the above order of the Commission, said J. L. Brady shall stand relieved of all public utility obligations and liabilities in connection with said system;
4. That Maynard Smith is directed to file within twenty (20) days after taking possession of said water system, a written statement that he has adopted the rates, rules and regulations in effect on the date of taking possession.

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

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

Dated at San Francisco, California, this 28th
day of May, 1948.

[Signature]

[Signature]

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Commissioners.