Decision No. 41830

A-29432 🛌 MMW

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

ORIGINAL

Application No. 29432

In the Matter of the Application of THEODORE F. MARTIN, doing business under the fictitious name of Pinewood Water Co., to transfer to C. R. PARKS, as his successor, under the fictitious name of Pinewood Water Co., his certificate of public convenience and necessity granted on Application No. 27233 in Decision No. 38907.

## ORDER

The Commission by Decision No. 38907, dated May 2, 1946, in Application No. 27233, granted to Theodore F. Martin, a certificate of public convenience and necessity authorizing him to conduct and operate a public utility water system in the subdivisions known as Pinewood Heights and Bartlett Tract, located between Bijou and Lakeside in the southeasterly Lake Tahoe area in the County of El Dorado, California, and as more particularly delineated on that certain map filed as Exhibit No.1 in said Application No. 27233.

Theodore F. Martin now asks permission to transfer said certificate of public convenience and necessity to C. R. Parks, who intends to operate a public utility water system in said area under the fictitious name of Pinewood Water Co.

It is alleged in the application that Louis Bartlett and Mary Olney Bartlett own the water distributing system in said tracts. They have agreed to transfer to C. R. Parks upon the approval of the transfer of said certificate of public convenience

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and necessity to him, the land and water system described in Exhibit "B" on file in this application.

C. R. Parks is hereby placed upon notice that the Public Utilities Act provides that the Commission shall have no power to authorize the capitalization of a 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.

The Commission has considered this application and is of the opinion that a hearing thereon is not necessary and that this application should be granted, therefore,

IT IS HEREBY ORDERED that Theodore F. Martin be, and he is hereby, authorized to transfer, on or before December 31, 1948, to C. R. Parks, the certificate of public convenience and necessity granted by Decision No. 38907, dated May 2, 1946.

IT IS HEREBY FURTHER ORDERED that the authority herein granted is effective twenty (20) days after the date hereof.

Dated at San Francisco, California, this \_\_\_\_\_ day of July, 1948.

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