

ORIGINAL

Decision No. 42842

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)	
JULIEN GARRIC and MARGUERITE GARRIC,	:	
his wife, to sell and JOEN W. CARL)	Application
and FRANCES C. CARL, to purchase the	:	No. 30245
Garric Water Works, of Glen Ellen,)	
Sonoma County, California.	:	
-----)	

OPINION AND ORDER

Julien Garric and Marguerite Garric, hereinafter referred to as Sellers, in this application request authority to sell a public utility water system to John W. Carl and Frances C. Carl, hereinafter referred to as Buyers.

The application shows that both Sellers and Buyers are engaged in operating water systems in the town of Glen Ellen, Sonoma County, California. Sellers, doing business as Garric Water Works, in 1948 reported 16 active service connections, operating revenues of \$270.34, and operating expenses of \$174.79 including depreciation charges of \$70.08, leaving a balance for the year of \$95.55. Buyers, doing business as Glen Ellen Water Works, in 1948 reported 151 active service connections, operating revenues of \$3,803.57, and operating expenses of \$2,842.94 including depreciation charges of \$313.92, leaving a balance for the year of \$960.63.

Sellers report that it is their desire to retire from the public utility water business and that they have made arrangements to sell their water properties to Buyers for the sum of

\$4,500.(1) The contract of sale provides for the payment of \$600 of the purchase price in cash and for the issue of a note for \$3,900 to evidence the balance due. The payment of the note is to be secured by a deed of trust on the property being sold. It is payable in monthly installments of \$39.48, including interest on the unpaid principal at the rate of 4% per annum.

The Commission has considered this application and is of the opinion that a public hearing thereon is not necessary, that the application should be granted, as herein provided, that the money, property or labor to be procured or paid for through the issue of said note is reasonably required for the purpose specified herein and that such purpose is not, in whole or in part, reasonably chargeable to operating expenses or to income; therefore,

IT IS HEREBY ORDERED as follows:

1. Julien Garric and Marguerite Garric, after the effective date hereof and on or before July 31, 1949, may sell to John W. Carl and Frances C. Carl the public utility water properties referred to herein and described in the contract of sale dated March 15, 1949, said sale to be made under and in accordance with the terms of said contract of sale.

2. John W. Carl and Frances C. Carl, after the effective date hereof and on or before July 31, 1949, may execute a deed of trust and issue a note in the principal amount of \$3,900 for the

(1) The properties include two parcels of land, a well, a 20,000 gallon tank, 2,375 feet of 2" and 3" steel pipe and a certificate of public convenience and necessity granted by the Commission by Decision No. 34393, dated July 8, 1941, in Application No. 24158.

purpose of financing in part the cost of said properties, said deed of trust and said note to be in, or substantially in, the same form as those filed in this proceeding.

3. On or before the date of actual transfer of said properties, Julien Garric and Marguerite Garric shall refund all deposits which consumers are entitled to have refunded, and shall file with the Commission a written statement showing the disposition of any such deposits or showing that no deposits existed.

4. John W. Carl and Frances C. Carl, if they acquire the Garric Water Works, shall furnish and supply water service to the public under and in accordance with the rates, rules and regulations on file with the Commission in the name of Julien Garric and Marguerite Garric, and shall adopt as their own said rates, rules and regulations. No increase in the present lawfully filed rates, rules and regulations shall be made unless otherwise properly authorized by this Commission.

5. Within fifteen (15) days after the transfer of the properties under the authority herein granted, Julien Garric and Marguerite Garric shall file with the Commission a written statement showing the exact date upon which they relinquished control of said properties.

6. Within fifteen (15) days after the acquisition of said properties and the issue of the note herein authorized, John W. Carl and Frances C. Carl shall file with the Commission a certified copy of the deed of conveyance under which they received title to said properties, and a copy of the note and a copy of the deed of trust.

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

8. The authority herein granted will become effective when John W. Carl and Frances C. Carl, or either of them, have paid the minimum fee prescribed by Section 57 of the Public Utilities Act, which fee is twenty-five (\$25.00) dollars.

Dated at San Francisco, California, this 10th day of May, 1949.

R. E. Morrison
Justice J. C. Cramer
Frank R. Powell
Harold F. Hills
Samuel S. Potter
Commissioners

