

Decision No. 43172

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
 JOHN J. MORAN, Sr., and ARTHUR BROWN
 for an order authorizing John J.
 Moran, Sr., to sell, and Arthur Brown,
 to purchase, a water system in Shasta
 County, California.

Application No. 30466

OPINION AND ORDER

In this application John J. Moran, Sr., asks the Commission for authority to sell a public utility water system serving domestic and irrigation water in the community of French Gulch in Shasta County to Arthur Brown, who joins in the application.

During 1948, a total of 12 consumers were served from this water system. The application states that the total revenue received for the year 1948 was \$160 and that operating expenses amounted to \$60 without including the services of the owner and operator of the water system.

The application alleges that prior to 1936, the system was owned and operated by Thomas McDonald; that upon the death of Thomas McDonald, the operation was continued by his widow, Rose Anna McDonald, as executrix of his estate; that on February 10, 1936, the estate was distributed to Rose Anna McDonald who became the sole owner of the system; and, that on August 20, 1946, Rose Anna McDonald transferred the system to John J. Moran, Sr., the present operator. No application was filed with the Commission requesting authorization to effect the 1946 transfer. However, the 1946 annual report of this utility, filed on July 19, 1947, indicated that Rose Anna McDonald died on November 11, 1946, and the report was signed by Kathryn E. Stone, Executrix of the Estate of Rose Anna McDonald, Deceased. The 1947 and 1948 annual

reports were signed by John J. Moran, Sr., the present operator. Under the circumstances, we find as a fact that John J. Moran, Sr., is presently operating the public utility system and the order herein will authorize him to transfer the system to Arthur Brown.

It appears that the transfer of this public utility water system is in the public interest as Arthur Brown is in a more favorable position to operate and maintain the system.

The Commission has considered this matter and is of the opinion that a public hearing is not necessary and that the application should be granted, as herein provided, therefore,

IT IS HEREBY ORDERED as follows:

1. That John J. Moran, Sr., after the effective date of this order and on or before September 30, 1949, may sell and transfer the water properties referred to herein;
2. That John J. Moran, Sr., shall file with the Commission, on or before October 15, 1949, a certified copy of each instrument executed to convey said water system to Arthur Brown;
3. That Arthur Brown shall adopt the rates, rules and regulations now on file with the Commission applying to service given by the water system herein authorized to be transferred, and shall assume the payment of deposits, if any, which consumers are entitled to have refunded under such rates, rules and regulations.

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

The authority granted herein will become effective twenty (20) days after the date hereof.

Dated at Los Angeles, California, this 2nd day of

August, 1949.

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Justice F. C. Cramer
Irving H. Koppel
Harold P. Hulse
Pennington P. Patten
Commissioners.