

Decision No. 43211

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JUN 10 1948

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of  
 FAY WATER COMPANY, a corporation, to sell,  
 and ROBERT L. GILLIAM, doing business under  
 the name and style of Avila Water Company,  
 to buy, the public utility water system at  
 Port San Luis of Fay Water Company, and  
 declaring that Fay Water Company, effective  
 upon the transfer of said system, is  
 relieved of all obligation as a public  
 utility to render service in and through or  
 by means of said system so to be sold.

Application No. 30513

OPINION AND ORDER

In this application Fay Water Company, a corporation, asks the Commission for authority to sell its public utility water system serving water to the public in Port San Luis, San Luis Obispo County, to Robert L. Gilliam, doing business as Avila Water Company, who joins in the application.

The properties to be transferred include a certain parcel of land, distribution pipe lines, water tank, meters, all easements and rights of way on public or private property as described in the copy of the deed marked Exhibit "B" attached to the application herein and made a part of this order by reference. A price of \$12,721.43 has been agreed upon as the amount to be paid to applicant by Robert L. Gilliam.

During 1948 a total of five customers was served from this water system. Revenues received for this service totaled \$6,532, and the operating expenses amounted to \$5,859.

The Commission has considered this matter and it 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 Fay Water Company, a corporation, 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 Robert L. Gilliam shall file with the Commission, on or before October 15, 1949, a certified copy of each instrument executed to convey title to said water system to him.
3. That Robert L. Gilliam 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 payments of deposits, if any, which customers are entitled to have refunded under such rates, rules and regulations;
4. That upon compliance with the terms of the above agreements, said Fay Water Company, a corporation, shall thereupon stand relieved of all further public utility obligations and liabilities in connection with the water system herein authorized to be transferred.

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 San Francisco, California, this 16<sup>th</sup> day of August, 1949.

R. Z. [Signature]

[Signature]

[Signature]

Commissioners.