

ORIGINAL

Decision No. 42647

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

IN THE MATTER OF THE APPLICATION OF
 JULIAN R. WAGY, AS ADMINISTRATOR WITH
 THE WILL ANNEXED OF THE ESTATE OF
 J. I. WAGY, DECEASED, DOING BUSINESS
 AS WEST SIDE WATER COMPANY, FOR AN
 ORDER APPROVING THE SALE OF A WATER
 SYSTEM FOR FIRE PROTECTION TO THE CITY
 OF MARICOPA.

Application No. 30835

O P I N I O N

In this application, Julian R. Wagy, Administrator with the Will Annexed of the Estate of James I. Wagy, also known as J. I. Wagy, Deceased, operating a public utility water system, including a supplemental system used for fire protection, in the City of Maricopa, Kern County, under the name and style of West Side Water Company, asks the Commission for authority to sell the supplemental system used for fire protection to the City of Maricopa. In Application No. 30834, filed concurrently with this application, the Commission is asked to authorize the sale of the main portion of the water properties to the Western Water Company, a public utility corporation.

Prior to the filing of these applications, on October 22, 1949, the City of Maricopa and the Western Water Company entered into an agreement respecting the operation of the water properties of the West Side Water Company contingent upon the acquisition of the main water system by the Western Water Company and of the fire protection system by the City of Maricopa, particularly with reference to the operation of the fire system and the rates to be charged by Western Water Company for water to be supplied to the City of Maricopa for the fire system. A schedule of consumption rates and minimum charge was agreed upon.

The properties to be transferred to the City of Maricopa are particularly described in the detailed inventory attached to the application herein and marked Exhibit "A" and comprise the pipe lines, tanks, hydrants and appurtenances used as a water system for fire protection in the City of Maricopa. The City of Maricopa's bid of \$4,000 for the Parcel Two properties was accepted by the Administrator and subsequently approved by the Superior Court of the State of California, in and for the County of Kern. Said city intends to take possession of the Parcel Two properties and operate them as a municipal water system commencing on the meter reading date nearest to December 25, 1949. Western Water Company intends to take possession of the Parcel One properties at or about the same time.

O R D E R

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 Julian R. Wagy, Administrator with the Will Annexed of the Estate of James I. Wagy, also known as J. I. Wagy, Deceased, doing business under the name and style of West Side Water Company, after the effective date of this order and on or before January 31, 1950, may sell and transfer the water properties referred to in this proceeding as Parcel Two to the City of Maricopa.
2. That said Julian R. Wagy shall file with the Commission within thirty (30) days after the transfer of said water properties, a statement indicating the exact date upon which control of said properties was relinquished.
3. That upon compliance with Paragraphs 1 and 2 above, said Julian R. Wagy and West Side Water Company shall stand relieved of all further public utility obligations pertaining to fire protection service to the City of Maricopa, in connection with said water properties.

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 shall become effective upon the date hereof.

Dated at San Francisco, California, this 20th day of December, 1949.

R. Z. [Signature]
Justus J. [Signature]
[Signature]
Harold P. [Signature]
[Signature] (Pott)
Commissioners.