

ORIGINAL

Decision No. 43952

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
 Swain Oaks Manor, a copartnership,
 for Authority to Sell and Transfer
 to DANTE J. NOMELLINI, individually,
 all Assets, tangible and intangible,
 of said Copartnership utilized in
 the Conduct of the Business of Sale
 and Distribution of Water within the
 Territory described in Certificate
 of Public Convenience and Necessity
 heretofore issued to Applicant.

Application No. 31013

O R D E R

Swain Oaks Manor, a copartnership of Peter L. Sala and Dante J. Nomellini, on February 11, 1950, applied for authority to sell and transfer the Swain Oaks Manor Water Company in San Joaquin County to Dante J. Nomellini on dissolution of the partnership, in accordance with the terms of an agreement attached to the application.

Said agreement provides for a segregation of the property of the copartnership between Sala and Nomellini. Sala will receive four lots and \$10,000 in cash, while Nomellini will receive all other assets and liabilities of the copartnership, including the operative water company property. The Swain Oaks Manor Water Company operates under a certificate of public convenience and necessity issued by this Commission under Decision No. 39904, Application No. 28039, dated January 28, 1947. Swain Oaks Manor is located approximately 1½ miles north of the city of Stockton on the Lower Sacramento Road in San Joaquin County, and the certificated service area of the water company comprises some 1,670 acres. It appearing that a public hearing is not necessary herein, and that the application should be granted, subject to certain conditions, therefore,

IT IS HEREBY ORDERED that Swain Oaks Manor, a copartnership consisting of Peter L. Sala and Dante J. Nomellini, may, on or after the effective date hereof and on or before April 1, 1951, sell and transfer to Dante J. Nomellini, in accordance with the terms of an agreement dated January 24, 1950, a copy of which is attached to the application, the certificate of public convenience and necessity granted said copartnership by this Commission in its Decision No. 39904, dated January 28, 1947, together with that portion of the real and personal property which is used in connection with the water distribution business described therein, subject to the following conditions:

1. Applicant shall, within thirty (30) days thereafter, notify the Commission of the completion of the property transfer herein authorized and of its compliance with the conditions hereof.
2. The action taken herein shall not be construed to be a finding of the value of the property herein authorized to be transferred.

IT IS HEREBY FURTHER ORDERED that upon completion of the transfer of the properties authorized herein, Swain Oaks Manor, a copartnership consisting of Peter L. Sala and Dante J. Nomellini, and the said Peter L. Sala shall stand relieved of all public utility obligations and liabilities incurred therewith.

The effective date of this order shall be twenty (20) days after the date hereof.

Dated at San Francisco, California, this 14th day of March, 1950.

[Signature]
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Commissioners.