

DECISION NO. 44317**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of  
 FLORENCE McPHERSON to sell and FLOYD E.  
 PARKS and AMELIA PARKS to purchase the  
 Raymond Water Works, also known and  
 called the Water System in the Town of  
 Raymond, California.

Application No. 31477

O R D E R

Florence McPherson, doing business as Raymond Water Works, also known and called the Water System in the Town of Raymond, Madera County, on June 8, 1950, applied for authority to sell and transfer the said public utility water system to Floyd E. Parks and Amelia Parks, his wife, who join in the application, in accordance with the terms and provisions of a document entitled "Agreement of Exchange," executed by the applicants herein, a copy of which is attached to the application and marked Exhibit "A."

Applicant Florence McPherson acquired the Raymond Water Works by authority of this Commission's Decision 37130, dated June 13, 1944, in Application No. 25955; Decision No. 40602, dated August 12, 1947, in Application No. 28575; and Decision No. 41015, dated December 17, 1947, in Application No. 28925, since which time she has owned and operated the said public utility system which supplies water for domestic purposes in the unincorporated town of Raymond, Madera County. This water system commenced operations some time prior to 1910 and prior to the enactment of the Public Utilities Act and, therefore, no transfer of a certificate of public convenience and necessity is involved herein.

The Agreement of Exchange, dated April 11, 1950, between Floyd E. Parks and Amelia Parks, husband and wife, called first party, and Florence McPherson and Thomas Robert Burns, mother and son, called second party, the original of which is on file in The Security Title Insurance and Guarantee Company, of Fresno, provides for the transfer from first party to second party of certain real property in Fresno County and certain sums of money to be paid, totalling \$23,000, in exchange for the transfer from second party to first party of certain real property located in and in the vicinity of Raymond in Madera County, valued at \$23,000. As one of the terms and conditions of the said exchange of properties, the second party agreed to request the transfer of the right of operation of the water system to the names of parties of first part.

The application states that the consideration to be delivered by the purchasers, Floyd E. Parks and Amelia Parks, for the transfer to them of the said public utility, is fair and reasonable, and that the value of the real property to be transferred by said purchasers to the seller, as a part of the total consideration of \$23,000, is the true market value of said property.

The utility report for 1949 shows operating revenues of \$1,496 and operating expenses \$1,249, leaving a net operating revenue for the year of \$247. The above expenses showed no charge for taxes, depreciation, or operator's salary. The cost of plant and equipment as of December 31, 1949, was reported as \$5,983.56. At the end of the year, there were 42 active service connections, of which 23 were metered.

An investigation having been made, and it appearing to the Commission that the proposed transfer will not be adverse to the public interest, that a public hearing is not necessary herein, and that the application should be granted in so far as the operative property of the public utility is concerned, subject to certain conditions, now, therefore,

IT IS HEREBY ORDERED that Florence McPherson, on or after the effective date hereof, and on or before September 1, 1950, may sell and transfer the herein described public utility property to Floyd E. Parks and Amelia Parks, his wife, pursuant to the agreement of exchange embodied in the said application, subject to the following conditions:

1. That, if the authority herein granted is exercised, Florence McPherson, within thirty (30) days thereafter, shall file with this Commission a certified copy of the final instrument of conveyance and also a written statement indicating the date on which control and possession of said water system were relinquished.
2. That on or before the date of actual transfer, Florence McPherson shall refund all deposits which customers are entitled to have refunded; that any unrefunded deposits shall be transferred to and become the obligation for refund of Floyd E. Parks and Amelia Parks; and that Florence McPherson shall file with this Commission within thirty (30) days after date of transfer, a written statement showing the disposition of any such deposits, or that no deposits existed.
3. That upon compliance with the above paragraphs 1 and 2 of this order of the Commission, said Florence McPherson shall be relieved of all public utility obligations and liabilities in connection with said system.
4. That the rates of Raymond Water Works, now legally on file with this Commission, shall be refiled, within thirty (30) days from the date of transfer, under the name of Floyd E. Parks and Amelia Parks in accordance with the procedure prescribed by General Order No. 96, or in lieu of such refiled, applicant may file a notice of adoption of said presently filed rates. No increases in the present lawfully filed rates shall be made unless otherwise properly authorized by this Commission.
5. That Floyd E. Parks and Amelia Parks, within thirty (30) days from the date of transfer, shall file with this Commission four sets of rules and regulations governing customer relations, each set of which shall contain a suitable map or sketch, drawn to an indicated scale upon a sheet 8½ x 11 inches in size, delineating thereupon by distinctive markings the boundary of applicants' present service area and the location thereof with reference to the immediate surrounding territory; provided, however, that such filing shall not be construed as a final or conclusive determination or establishment of the dedicated area of service or portion thereof.

6. That Floyd E. Parks and Amelia Parks, within thirty (30) days from the date of transfer, shall file four copies of a comprehensive map drawn to an indicated scale of not less than 400 feet to the inch, delineating by appropriate markings the various tracts of land and territory served and the location of various public utility properties of applicants.
7. That the action taken herein shall not be construed to be a finding of the value of the property herein authorized to be transferred.

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

Dated at San Francisco, California, this 20th day of June, 1950.

R. B. Dunderman

John H. Lawrence

Harold P. Hule

Francis H. Potter  
Commissioners.