

Decision No. 44568

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
Oscar Spano to sell, and Anthony J. )  
Pasco to purchase the system and )  
business of GARDENVIEW WATER SYSTEM, )  
a public utility. )  
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Application  
No. 31573

O R D E R

By Decision No. 41908, dated July 27, 1948, the Commission granted to Oscar Spano and Anthony J. Pasco, copartners doing business as Gardenview Water System, a certificate of public convenience and necessity to operate a public utility water system in a subdivided area known as Gardenview Subdivision, located approximately one mile north of the north boundaries of the City of Fresno. Thereafter said individuals undertook the operation of said system, and in their 1949 annual report set forth their investment in fixed capital at \$15,589, their operating revenues at \$3,114 with net income before federal taxes of \$1,001, and 120 active service connections.

Spano and Pasco now report that they desire to discontinue operations as a partnership, and that Pasco has agreed to purchase, for \$8,100, payable in cash, all of the interest of his partner in the water properties and business. In this application they have requested the Commission to authorize the sale.

The Commission has considered this matter and is of the opinion that a public hearing thereon is not necessary, that the proposed sale will not be adverse to the public interest, and that the application should be granted, as herein provided; therefore,

IT IS HEREBY ORDERED as follows:

1. Oscar Spano, after the effective date hereof and on or before October 31, 1950, may sell his interest in the Gardenview Water System to Anthony J. Pasco, in accordance with the terms outlined in this proceeding.

2. The rates, rules and regulations now on file with the Commission by Oscar Spano and Anthony J. Pasco shall be refiled by Anthony J. Pasco, within thirty (30) days from the date of transfer of the water system, in accordance with the procedure prescribed by General Order No. 96, or, in lieu of such refiling, Anthony J. Pasco may file a notice of adoption of said presently filed rates, rules and regulations. No increases in said rates, rules and regulations shall be made unless properly authorized by the Commission.

3. Consumers' deposits subject to refund, if any, shall become the obligations for refund by Anthony J. Pasco.

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

5. If the authority herein granted is exercised, Anthony J. Pasco, within thirty (30) days after the sale of said water system, shall notify the Commission in writing of the date of completion of such sale.

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

Dated at San Francisco, California, this 25<sup>th</sup> day of  
July, 1950.

R. Z. Johnson  
Justin Z. Green  
Harold K. Kule  
James H. Potter  
Commissioners