

**ORIGINAL**Decision No. 44680

## BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of  
 WILMA McFARLAND For Permission to Sell  
 Public Utility, to Walter P. Wesson,  
 Jr., Stanislaus County.

Application No. 31607

O P I N I O N

Wilma McFarland, owner and operator of a water system known as the College Manor Water Company and serving water for domestic use in the vicinity of Modesto, Stanislaus County, California, on July 21, 1950, requested the Commission to grant permission to sell, assign, and transfer all her right, title, and interest in and to said water company to Walter P. Wesson, Jr.

The property to be transferred consists of a parcel of land, described as the north 50 feet of Lot 15 in Block 833 of the College Manor Tract No. 1 in Stanislaus County, a pumping plant on such parcel of land, and all water pipe lines running through said College Manor Tract No. 1. The consideration to be paid for the property is \$5,000, consisting of \$2,000 in cash and \$3,000 secured by a note and deed of trust payable at the rate of \$50 or more per month, including 5% interest per year.

Applicant reports that she finds it difficult to continue to operate and supervise the water system because of her other business activities. It is indicated that Walter P. Wesson is able and willing to operate said system and make arrangements to expand the same, and by Exhibit "B" attached to the application has indicated his ability to finance such undertaking.

It appears that the proposed transfer will not be adverse to the public interest, that a public hearing in the matter is not necessary, and that the application should be granted.

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

O R D E R

The above-entitled application to sell public utility property having been filed with this Commission, and it appearing that a public hearing is not necessary herein, and that the application should be granted,

IT IS HEREBY ORDERED that Wilma McFarland, after the effective date hereof, and on or before June 30, 1951, may sell and transfer the public utility property described in the application to Walter P. Wesson, Jr., pursuant to the agreement of sale and purchase embodied therein, subject to the following conditions:

1. The rates, rules, and regulations of Wilma McFarland, now legally on file with this Commission, shall be refiled within thirty (30) days from the date of transfer under the name of Walter P. Wesson, Jr., in accordance with procedure prescribed by General Order No. 96; or in lieu of such refileing, Walter P. Wesson, Jr., may file a notice of adoption of said presently filed rates, rules, and regulations. No increases in the presently lawfully filed rates, rules, or regulations, shall be made unless otherwise properly authorized by this Commission.
2. If the authority herein granted is exercised, the applicant shall, within thirty (30) days thereafter, notify this Commission in writing of the date of such completion of the property transfer herein authorized.

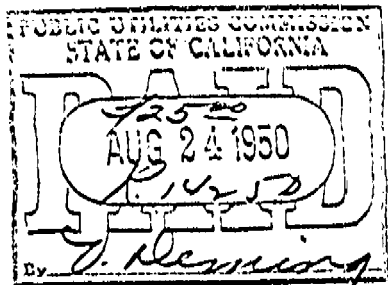
IT IS HEREBY FURTHER ORDERED that Walter P. Wesson, Jr., in part payment for said property, after the effective date hereof and on or before June 30, 1951, may issue a note in the principal amount of \$3,000, payable as indicated herein, and may execute a deed of trust in substantially the same form as that filed in this proceeding for the purpose of securing the payment of said note, it being the opinion of the Commission that the money, property, or labor to be procured or paid for through such issue is reasonably required for the purpose specified herein and that such purpose is not, in whole or in part, reasonably chargeable to operating expenses or to income.

IT IS HEREBY FURTHER ORDERED that:

1. Walter P. Wesson, Jr. shall file with the Commission a report as required by General Order No. 24-A, which order, in so far as applicable, is made a part of this order, and
2. Walter P. Wesson, Jr., within thirty (30) days after the date of sale authorized herein, shall file with the Commission a certified copy of the deed by which real property is transferred, and also a written statement indicating the date upon which he assumed control and possession of said water system.

The authority herein granted will become effective when Walter P. Wesson, Jr. has paid the minimum fee prescribed by Section 57 of the Public Utilities Act, which fee is \$25.

Dated at San Francisco, California, this 22<sup>nd</sup> day of August, 1950.



R. E. [Signature]  
Justice J. C. [Signature]  
[Signature]  
Harold P. [Signature]  
[Signature]  
 Commissioners.