

Decision No. 44920**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the BRISBANE WATER)
 COMPANY and the BRISBANE COUNTY)
 WATER DISTRICT for Permission to)
 Sell the Brisbane Water Company to)
 the Brisbane County Water District.)

Application No. 31789

O P I N I O N

Clyde Henry (Brisbane Water Company) engaged in furnishing domestic and fire protection water service within the upper elevations of the Town of Brisbane, California, by this application asks for authority to sell and transfer his system and water rights to the Brisbane County Water District, a public corporation, which joins in the application. By such transfer, Clyde Henry would be relieved of his public utility obligations in the area now served.

The residents of Brisbane, at an election held within said town, have authorized the issuance of revenue bonds in the amount of \$175,000 for the purpose of providing funds with which to acquire, reconstruct, and extend existing water systems in order to provide Brisbane with an adequate water supply. The agreed price for purchase of the Clyde Henry system is \$31,500, less \$10 for every water service connection not supplied with a usable meter. Said price is payable within six months of the date of the agreement for purchase. A copy of said agreement, dated September 13, 1950, is attached to the application and designated Exhibit "A" thereof. All Brisbane customers and assets of Clyde Henry, excepting accounts receivable and cash on hand, are to be transferred to the District.

It appears that the requested transfer will not be adverse to the public interest, that a public hearing herein is not necessary and that the request of applicants 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 Commission having considered the request of applicants and being of the opinion that the application should be granted and that a public hearing is not necessary; therefore,

IT IS HEREBY ORDERED that Clyde Henry may, on or after the effective date hereof, and on or before June 30, 1951, sell and transfer the public utility property described in the application to the Brisbane County Water District in accordance with the agreement of purchase, dated September 13, 1950, copy of which is attached to the application as Exhibit "A" thereof.

IT IS HEREBY FURTHER ORDERED that on or before the actual date of transfer, Clyde Henry shall refund all consumer deposits, if any, to consumers entitled thereto, and within thirty (30) days thereafter shall notify this Commission, in writing, of the completion of such refunding.

IT IS HEREBY FURTHER ORDERED that within sixty (60) days after the sale and transfer hereinabove authorized, Clyde Henry shall notify this Commission, in writing, of the exact date upon which he relinquished control and possession of his water system.

IT IS HEREBY FURTHER ORDERED that upon due compliance with the above, said Clyde Henry shall thereupon and thereby stand relieved of all further public utility obligations and liabilities in

connection with the water system 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 17th day of October, 1950.

R. Z. [Signature]
Justin J. [Signature]
Donald F. [Signature]
Harold P. [Signature]
[Signature]
Commissioners.