

Decision No. 46000

**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
George P. Hummel, d.b.a. Rosamond Water )  
Company, for authority to sell and )  
Samuel I. Berg for authority to purchase ) Application No. 32433  
a public utility water system under )  
Section 51(a) of the Public Utilities Act.)

OPINION AND ORDER

George P. Hummel, an individual doing business as Rosamond Water Company, by the above-entitled application filed May 29, 1951, seeks authority to sell his public utility water system to Samuel I. Berg, an individual, in accordance with the terms and conditions of the agreement of sale attached to the application as Exhibit A, pages 1 and 2.

Applicant Hummel was granted a certificate of public convenience and necessity by the Commission's Decision No. 31914, dated April 11, 1939, in Application No. 22455, to construct and operate a public utility water system in and about the town of Rosamond, Kern County, California. He now desires to transfer the entire water system property and assets to Samuel I. Berg. The personal property is to be sold for \$8,000, as shown in the Bill of Sale attached to the application as Exhibit A.

The real property, to be transferred for the sum of \$4,000, as shown in Escrow Instructions attached to the application as Exhibit A, page 4, includes Lots 4, 5, 6, in Block 14, and that portion of Block 47 lying between Poplar and Center Streets of Rosamond Townsite, County of Kern, State of California. The total consideration of the sale is \$12,000.

In the balance sheet, attached to the application as Exhibit B, the cost of the assets as of December 31, 1950, was reported as \$25,768.76. The balance sheet shows liabilities and other sources of funds consisting of owner's investments in the amount of \$15,550.00, accounts payable in the amount of \$182.53, consumers' advances for construction of \$3,160.00, donations in aid of construction of \$173.84, reserve for accrued depreciation of \$6,017.00, and surplus in the amount of \$685.39. The profit and loss statement attached to the application as Exhibit B shows a net profit of \$715.59 for the year ending December 31, 1950.

No change in the operations of applicant as a public utility is indicated and it appears, therefore, that a public hearing is not necessary herein, that the sale and transfer of these properties to Samuel I. Berg is not adverse to the public interest, and that the application should be granted; therefore,

IT IS HEREBY ORDERED that George P. Hummel, an individual doing business as Rosamond Water Company, may, on or after the effective date hereof, and on or before October 1, 1951, sell and transfer the herein-described public utility property to Samuel I. Berg, an individual, pursuant to the terms and conditions of the agreement of sale attached to the application as Exhibit A, pages 1 and 2, subject to the following conditions:

1. The rates, rules and regulations of George P. Hummel, an individual doing business as Rosamond Water Company, now legally on file with this Commission, shall be refiled within thirty (30) days from the date of transfer under the name of Samuel I. Berg, an individual, in accordance with procedure prescribed by General Order No. 96, or in lieu of such refiling, applicant may file a notice of adoption of said presently filed rates. No increases in the present lawfully filed rates, rules and regulations, shall be made unless otherwise properly authorized by this Commission.

2. That on or before the date of actual transfer, George P. Hummel, doing business as Rosamond Water Company, shall refund all deposits which customers are entitled to have refunded; and that any unrefunded deposits shall be transferred to and become the obligation for refund of Samuel I. Berg, an individual.
3. 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 and of its compliance with the conditions hereof.
4. 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 five (5) days after the date hereof.

Dated at San Francisco, California, this 31<sup>st</sup> day of July, 1951.

R. T. [Signature]  
Justin J. [Signature]  
Harold K. [Signature]  
[Signature]  
[Signature]  
 Commissioners.