

Decision No. 46512

**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
A. RONALD BUTTON, GLADYS M. BUTTON )  
and DAVID F. CULVER, as Tenants in )  
Common, For an Order Authorizing )  
the sale of Public Utility property )  
located in Rancho Mirage, California.)

Application No. 32868

OPINION AND ORDER

A. Ronald Button, Gladys M. Button, and David F. Culver, tenants in common, on November 2, 1951, applied for authority to sell and transfer their water system, located in Rancho Mirage, Riverside County, to A. Ronald Button and Gladys M. Button, tenants in common, in accordance with the terms and conditions of a proposed bill of sale attached to the application as Exhibit A, and a proposed grant deed attached to the application as Exhibit B.

Applicants were granted permission to purchase the water system from Rancho Mirage Annex No. 2, a California corporation, by the Commission's Decision No. 45117, dated December 12, 1950, in Application No. 31888.

Applicants, A. Ronald Button and Gladys M. Button, are acquiring by a separate instrument, all of the ownership of applicant David F. Culver, in and to all of the real and personal property heretofore owned by the three applicants in Rancho Mirage. The two applicants desire to continue the operation of the public utility water system in this community.

Applicants report the fixed capital of the water system for the year ending December 12, 1950, to be \$49,306, and a reserve for accrued depreciation of \$7,095. During 1950, a revenue of \$6,052 was reported as received from 130 consumers, and the total operating expenses for the same period amounted to \$7,221, resulting in a loss of \$1,169 for the year's operation.

The Commission has considered applicants' request and is of the opinion that this is not a matter on which a public hearing is necessary; that the proposed transfer will not be adverse to the public interest, and that this application should be granted subject to the provisions of this opinion and order; therefore,

IT IS HEREBY ORDERED as follows:

1. A. Ronald Button, Gladys M. Button, and David F. Culver, tenants in common, may on or after the effective date hereof, and on or before March 31, 1952, sell and transfer to A. Ronald Button and Gladys M. Button, tenants in common, the properties referred to herein in accordance with the terms of a proposed bill of sale and a proposed grant deed, copies of which are attached to the application as Exhibit A and Exhibit B, respectively.
2. The rates, rules and regulations now legally on file with this Commission by A. Ronald Button, Gladys M. Button, and David F. Culver, shall be refiled within thirty (30) days from the date of the transfer under the name of A. Ronald Button and Gladys M. Button, in accordance with procedure prescribed by General Order No. 96, or in lieu of such refiling, applicants may file a notice of adoption of said presently filed rates, rules and regulations. No increases in the present lawfully filed rates, rules and regulations shall be made unless otherwise properly authorized by this Commission.
3. That on or before the date of actual transfer, A. Ronald Button, Gladys M. Button, and David F. Culver shall refund all deposits which customers are entitled to have refunded; and any unrefunded deposits shall be transferred to and become the obligation for refund of A. Ronald Button and Gladys M. Button, tenants in common.
4. 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.

5. 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 11<sup>th</sup> day of December, 1951.

*R. J. [Signature]*  
 President.

*Justin J. [Signature]*

*Harold [Signature]*

*[Signature]*

*[Signature]*  
 Commissioners.