

Decision No. 47139

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 CLAYTON B. NEILL and DOROTHY M. NEILL,)
 to sell, and the CITY OF GONZALES,) Application No. 33333
 California, to purchase a water system)
 operated in the said City of Gonzales.)

OPINION AND ORDER

Clayton B. Neill and Dorothy M. Neill, doing business as Gonzales Water Works, and engaged in the business of distributing and selling water for domestic purposes in and in the vicinity of the City of Gonzales, Monterey County, ask for authority to sell and transfer the water system to the City of Gonzales, a municipal corporation, and to be relieved of their utility obligation to serve this territory.

The residents of the City of Gonzales, at an election held on May 22, 1951, authorized the issuance of revenue bonds in the amount of \$250,000 for the purpose of providing funds with which to acquire and improve the existing water system. The agreed price for the purchase of the system is \$66,000, plus additions and retirements to the property since December 31, 1951. The system is reported to have been serving an average of 357 consumers during 1951.

In order to expedite the sale and transfer of the water system, the Commission is asked that the effective date of the order be made as of the date when the authority herein requested is granted. It appearing that it is not adverse to the public interest to grant the request, the following order will be made effective as of the date of its issuance.

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

IT IS HEREBY ORDERED as follows:

1. That Clayton B. Neill and Dorothy M. Neill, doing business as Gonzales Water Works, may, on or after the effective date hereof, and on or before October 31, 1952, sell and transfer the herein described public utility property to the City of Gonzales, a municipal corporation, pursuant to the agreement of sale and purchase dated April 1, 1952, marked Exhibit A, a copy of which is attached to the application and by reference made a part hereof.
2. That on or before the actual date of transfer, Clayton B. Neill and Dorothy M. Neill 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.
3. If the authority herein granted is exercised, Clayton B. Neill and Dorothy M. Neill 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 their compliance with the conditions hereof.
4. The action taken herein shall not be construed to be a finding of value of the property herein authorized to be transferred.
5. That upon due compliance with the above conditions, said Clayton B. Neill and Dorothy M. Neill 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 authority herein granted shall become effective on the date hereof.

Dated at San Francisco, California, this 13th day of May, 1952.

A. J. [Signature]
President.
Justin F. [Signature]
Harold P. [Signature]
[Signature]
[Signature]
Commissioners.