

ORIGINAL

Decision No. 47582

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
WILLIAM R. deLONG, ELIZABETH CONDIT,)
JEANNE FERROGGAIRO and ROSCOE C.)
deLONG Jr. to sell and transfer the)
assets and properties of a public)
utilities water distribution system)
operated by them under the name of)
CAMP ROSE WATER COMPANY, and)
JOHN SCIARRA to purchase the same.)

Application No. 33583

OPINION AND ORDER

In this application, filed July 18, 1952, William R. deLong, Elizabeth Condit, Jeanne Ferroggairo and Roscoe C. deLong, Jr., brothers and sisters doing business as the Camp Rose Water Company and operating a public utility water system in Camp Rose Subdivision and vicinity, located approximately 2 miles easterly of the City of Healdsburg, in Sonoma County, request authority of the Commission to sell and transfer the assets and property of the utility to John Sciarra, who joins in the application. The application further asks that the schedule of rates heretofore established by the Commission for said public utility be continued in effect.

Applicants William R. deLong, Elizabeth Condit, Jeanne Ferroggairo and Roscoe C. deLong, Jr., allege that they are unable to properly manage and operate the said water system for various reasons detailed in the application. Applicant John Sciarra alleges himself to be a trained mechanic, experienced in overhauling pumps and electric motors, and engaged with his brother in a partnership business in Healdsburg in the sale of petroleum products and in motor vehicle repairs. Applicant Sciarra

propoces to make certain needed improvements in the water system such as drilling wells and developing springs to eliminate the necessity of taking water directly from the Russian River, installing an automatic chlorinating unit and water meters, repairing the storage tanks and replacing defective pipe.

The water works proposed to be transferred presently procures its supply from the Russian River and from a certain spring, distributes the water for residential purposes in Camp Rose Subdivision and adjoining territory known as Fitch Mountain Tavern Tract, the entire service area comprising approximately 100 acres, and is now serving some 87 customers.

Applicants William R. deLong, Elizabeth Condit, Jeanne Ferrogairo and Roscoe C. delong, Jr., now propose to sell to applicant John Sciarra all of the assets and properties of this public utility water service, except the accounts receivable as of May 31, 1952, in accordance with the terms of a written agreement dated June 26, 1952, entered into between the applicants herein, a copy of which is attached to the application as Exhibit "1". The total consideration to be paid for the system is \$2,500 in cash, as follows:

Deposit made at time of executing agreement of sale..	\$250.
Further deposit to be made upon approval of sale by the Commission.....	650.
Credit from income received by the sellers from the water consumers for 1952 water charges paid to the sellers.....	900.
Further sum to be paid to sellers on or before February 15, 1953.....	<u>700.</u>
Total Purchase Price.....	2,500.

Attached to the application as Exhibit "2" are financial statements of the applicants doing business as Camp Rose Water Company, the balance sheet as of May 31, 1952, showing assets of

property consisting of land and equipment totalling \$8,176, and the statement of income for the period from January 1 to May 31, 1952, showing revenue from water sales of \$1,973 and expenses amounting to \$679, or a net profit for the five months' period of \$1,294. No allowance was made for depreciation in the above expenses, but the 1951 annual report to the Commission showed \$414 for this item. However, neither the financial statement nor the annual report showed any amount that may have been accumulated as a reserve for depreciation.

The Commission having considered the applicants' request and being 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; therefore,

IT IS HEREBY ORDERED, as follows:

1. William R. deLong, Elizabeth Condit, Jeanne Ferroggairo and Roscoe C. deLong, Jr., may on or after the effective date hereof, and on or before March 31, 1953, sell and transfer to John Sciarra, the public utility water properties being operated under the name of Camp Rose Water Company and more particularly described in the agreement of sale attached to this application.
2. The rates now legally on file with this Commission and revised rules and regulations shall be filed within thirty (30) days from the date of transfer under the name of John Sciarra, doing business as the Camp Rose Water Company, in accordance with the procedure prescribed by General Order No. 96. No increases in the presently filed rates shall be made unless otherwise properly authorized by this Commission.
3. On or before the date of actual transfer, William R. deLong, Elizabeth Condit, Jeanne Ferroggairo and Roscoe C. deLong, Jr., shall refund all deposits if any, which consumers are entitled to have refunded, and any unrefunded deposits shall be transferred and become the obligation for refund of John Sciarra.
4. Within thirty (30) days from the date of transfer, William R. deLong, Elizabeth Condit, Jeanne Ferroggairo and Roscoe C. deLong, Jr., shall file with the Commission a certified copy of each final instrument executed to

convey the said public utility water properties to John Sciarra, and a statement indicating the date upon which they relinquished control of said properties.

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 19th day of August, 1952.

A. J. [Signature] President.
Justin J. [Signature]
Harold [Signature]
John E. [Signature]

 Commissioners.

Commissioner.....Kenneth Potter....., being necessarily absent, did not participate in the disposition of this proceeding.