

ORIGINAL

Decision No. 47589

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)	
EUGENE B. BOUST to Sell and of the	:	
CITY OF FRESNO, a municipal corpora-)	Application
tion, to Purchase the Water Lines of	:	No. 33610
the FREEMONT WATER COMPANY, a public)	
utility.	:	
-----)	

OPINION AND ORDER

Eugene B. Boust, doing business as Freemont Water Company, is engaged in the business of distributing and selling water for domestic purposes to approximately 80 consumers in Boust Tract and Ramona Acres, Fresno County. In this application he asks for authority to sell and transfer his water distributing lines to the City of Fresno and to be relieved of his public utility obligations to serve this territory. The agreed price is \$12,811.

The application shows that the City of Fresno contemplates annexing certain property served by the distributing lines and that it desires to consummate their acquisition prior to the proposed annexation, irrespective of whether said annexation materializes.

The Commission has considered 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 applicants should be granted, subject to the provisions of this opinion and order; therefore,

IT IS HEREBY ORDERED as follows:

1. Eugene B. Boust, doing business as Freemont Water Company, after the date hereof and on or before December 31, 1952, may sell and transfer the public utility property referred to in this application to the City of Fresno, pursuant to the terms of the agreement dated June 25, 1952, a copy of which is attached to the application as Exhibit A.

2. On or before the actual date of transfer, Eugene B. Boust 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 granted is exercised, Eugene B. Boust, within thirty (30) days thereafter, shall notify this Commission in writing of the date of the completion of the transfer and of his 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.

5. Upon due compliance with the above conditions, said Eugene B. Boust shall stand relieved of all further public utility obligations and liabilities in connection with the water system known as Freemont Water Company.

6. The authority herein granted will become effective upon the date hereof.

Dated at San Francisco, California, this 19th day of August, 1952.

A. J. [Signature]
President

Justin S. [Signature]

Harold H. [Signature]

John E. [Signature]

Commissioners

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