

ORIGINAL

Decision No. 48020

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of SUBURBAN MUTUAL WATER COMPANY,)
a common law business trust, for)
an order authorizing it to terminate) Application No. 33887
lease and to discontinue service as)
a public utility within a designated)
area.)

OPINION AND ORDER

Suburban Mutual Water Company, a common-law business trust, by the above-entitled application filed November 18, 1952, seeks authority to terminate its lease with R. W. Sparling, an individual, owner and lessor, to sell its plant, real estate and distribution facilities in its Walnut Square-Westlawn System and its Colonia Moderna System to the City of Los Angeles for the sum of \$9,669.43 in accordance with the terms of an agreement attached to the application as Exhibit A, and to discontinue service as a public utility within designated areas.

R. W. Sparling, an individual, is the sole owner of applicant's properties herein proposed to be sold, and applicant leases all of said properties from said individual.

Applicant was ordered to file its rates and charges by Decision No. 16329, dated March 30, 1926, in Case No. 2074.

The locations of applicant's water systems and its authorized service areas being considered herein are shown on the maps attached to the agreement Exhibit A, as Schedules A-1 and B-1. The Walnut Square-Westlawn System is bounded on the northeast by Centinela Avenue, on the north by Washington Boulevard, on the

west by a line running midway between Mildred Avenue and Neosha Avenue and inside the Culver City boundary, on the southwest by McConnell Boulevard, on the south by Short Avenue to Westlawn Avenue and on the southeast by a line running midway between Reubens Avenue and Culver Boulevard. The Colonia Moderna System is bounded on the south by Santa Ana Boulevard, on the east by Mona Boulevard, on the north by 107th Street, and on the west by Juniper Street.

With respect to the two systems hereinabove described, the agreement Exhibit A provides for the sale, transfer and conveyance by applicant and Sparling of the assets, plant, system and all other property used and useful in utility operations, easements and water rights, books, maps and records, and certain designated items of real property to the Department of Water and Power of the City of Los Angeles. Excluded from the agreement are applicant's office equipment, automobiles, shop equipment, tools, all store equipment and accounts receivable.

The agreement further provides with respect to said systems that applicant shall not exercise any franchise right or privilege heretofore or hereinafter granted to it by the City or County of Los Angeles. Taxes are to be paid by applicant for the first half of city and county taxes assessed against the real property conveyed by the agreement for the fiscal year 1952-1953. The agreement is concurred in by the Board of Water and Power Commissioners of the City of Los Angeles by its Resolution No. 303 dated October 16, 1952.

All consumers' deposits, advances for construction and other advances will be refunded to consumers of the Walnut Square-Westlawn and Colonia Moderna Systems by applicant. Such deposits and advances totaled approximately \$254.45 as of December 1, 1952.

It appearing that a public hearing is not necessary herein, that the sale and transfer of these properties is not adverse to the public interest, and that the application should be granted subject to certain conditions,

IT IS HEREBY ORDERED as follows:

1. Suburban Mutual Water Company be, and it is authorized to sell, after the effective date hereof, and on or before the 31st day of March, 1953, to the City of Los Angeles (Department of Water and Power), in accordance with the terms of an agreement dated October 9, 1952, a certified copy of which is attached to the application as Exhibit A, those certain parcels of property described therein and as shown by the maps attached to Exhibit A of the application.
2. Suburban Mutual Water Company on or before the actual date of transfer shall refund all consumers' deposits as hereinabove provided.
3. Suburban Mutual Water Company shall, within thirty (30) days thereafter, notify this Commission in writing, of the 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 properties herein authorized to be transferred.
5. Suburban Mutual Water Company be, and it is, authorized to discontinue service as a public utility in the areas designated in Exhibit A attached to the application upon due compliance with the above conditions.
6. That the order in Decision No. 16329, dated March 30, 1926, in Case No. 2074, which recognized that applicant was engaged in

furnishing water service as a public utility, be, and it is, revoked and annulled in so far as it pertains to the Walnut Square-Westlawn and Colonia Moderna Systems upon due compliance with the above conditions..

The effective date of this order shall be twenty (20) days after the date hereof.

Dated at San Francisco, California, this 22nd day of December, 1952

A. J. Anderson
President.
James D. Calver
Harold P. Kula
Frederick P. Pottel
John E. Mitchell
Commissioners.