

ORIGINAL

Decision No. 48179

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of N. R. JESSEE to operate) Application No. 33632
MULBERRY WATER WORKS under) (Amended)
individual ownership.)

OPINION AND ORDER

In this application, N. R. Jessee requests the authorization of the Commission for the transfer to himself, as the surviving partner, of his deceased partner's interest in the water utility property operated under the name of Mulberry Water Works supplying water to consumers in and in the vicinity of Chico in Butte County. Prior to August 4, 1951, the water utility business was operated as a copartnership consisting of applicant N. R. Jessee and Sydney Mims Shaw, sometimes known as Margaret Sydney Mowatt, which partnership was dissolved by the death of said Sydney Mims Shaw on August 4, 1951.

The application as originally filed August 4, 1952, states that the estate of Sydney Mims Shaw, deceased, is now being probated in the Superior Court for Butte County and that the Bank of America, N. T. & S. A., is the duly appointed, qualified and acting administrator of said estate. On December 26, 1952, there was filed an amendment to the application signed by Chico office representatives of the said bank for the purpose of joining therein as one of the applicants.

In the application as amended, the applicant requests the Commission to authorize the transfer of the interests of Sydney Mims Shaw, deceased, in said Mulberry Water Works to

N. R. Jessee for the consideration of \$3,500 and also to authorize the operation of the water system by applicant Jessee as an individual.

Attached to the application and marked Exhibit "A" is a financial statement of the Mulberry Water Works as of the close of business on August 4, 1951 which may be summarized as follows:

Book value of plant, including land	\$5,583.10
Cash and other miscellaneous assets	<u>1,205.26</u>
Total assets	6,788.36
Accrued taxes, unpaid bills and other liabilities	<u>1,244.01</u>
Net worth	5,544.35

Sydney Mims Shaw originally acquired the water system known as Mulberry Water Works as a gift from her father, J. C. Mims. In 1944 she sold for \$2,000 a one-half interest in the water system to applicant herein, N. R. Jessee, as authorized by the Commission's Decision No. 36907 dated February 29, 1944, in Application No. 25995. The single flat rate of \$2.00 per month then on file remains as the presently effective rate. The 1951 annual report to the Commission filed under the name of Mulberry Water Works shows that there were then 112 active service connections, that at the end of 1951 the capital investment was \$9,107 and the reserve for accrued depreciation was \$3,661 and that the revenues and expenses for the year were \$2,722 and \$2,370, respectively, producing net operating revenues of \$352 for 1951.

The Commission has considered applicant's request and is of the opinion and hereby finds that the transfer of properties herein sought is not adverse to the public interest, and that a public hearing is not necessary. The application will be granted.

The action taken herein shall not be construed to be a finding of the value of the properties authorized to be transferred.

Good cause appearing therefor,

IT IS HEREBY ORDERED as follows:

1. That the Bank of America, N. T. & S. A., acting as the duly appointed and qualified administrator of the estate of Sydney Mims Shaw, deceased, may on or after the effective date hereof, and on or before April 30, 1953, sell and transfer the interests of said Sydney Mims Shaw, deceased partner, in the public utility water system heretofore operated as a copartnership under the name of Mulberry Water Works as described in the application, to N. R. Jessee, the surviving partner, who may purchase said interests and thereafter operate the said utility as an individual.
2. That if the authority granted herein is exercised, the Bank of America, N. T. & S. A., and N. R. Jessee shall separately or jointly, within thirty (30) days thereafter, notify this Commission in writing of the date of completion of the property transfer herein authorized.
3. That N. R. Jessee, with thirty (30) days after the sale and transfer of the property herein authorized has been actually consummated, shall file in quadruplicate with the Commission, in conformity with its General Order No. 96, the presently effective rate schedule and appropriate up-to-date rules and regulations, and service area map.

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

Dated at San Francisco, California, this 19th day of January, 1953.

John F. Dwyer
President.

Justus J. Galloway

Harold P. Huls

Francis J. [unclear]

John L. [unclear]
Commissioners: