

Decision No. 48667**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of CLARA NIGG to sell and HARRY C.)
WILSON and MARTHA A. WILSON to)
purchase partnership interest in)
SUMMER HOME PARK WATER CO.)

Application No. 34304
(and Amendment)

O P I N I O N

Clara Nigg, Harry C. Wilson and Martha A. Wilson, his wife, applicants herein, are engaged as partners in operating the Summer Home Park Water Company for the distribution of water to approximately 125 customers in Summer Home Park, Sonoma County. It appears that Clara Nigg desires to retire from the operations and that she has made arrangements, and in this application seeks authorization, to transfer her partnership interest to Harry C. Wilson and Martha A. Wilson.

The application shows that applicants in addition are the owners of resort properties known as Summer Home Park, and that Clara Nigg is disposing of her interest in such properties also. The agreed purchase price to be paid for her interest in all the properties is the sum of \$15,000, of which \$5,000 has been assigned to the partnership interest in the water system.^{1/} Under the terms of the agreement by the parties for the sale of the partnership interest, the purchase price will be payable in annual installments of \$500 or more. Of the purchase price, \$5,000 will bear interest at the rate of 5 per cent per annum from the date of completion of

^{1/} The reported original cost of the utility property, as shown in Exhibit A filed in this proceeding, is \$10,735 as of December 31, 1952. The operating revenues aggregated \$2,226.27 during 1952.

the transfer and \$10,000 will bear interest at the rate of 5 per cent per annum commencing January 1, 1954. The obligation will be represented by a promissory note.

It appears that applicants have owned the water system since 1947, that Harry C. Wilson has been engaged in the operation of the same and that there will be no change in service as a result of the proposed transfer. Upon a review of the matter we are of the opinion that the transfer will not be adverse to the public interest, that the money, property or labor to be procured or paid for by the issue of the note herein authorized is reasonably required for the purpose specified herein, that such purpose is not, in whole or in part, reasonably chargeable to operating expenses or to income, and that applicants' request should be granted.

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

O R D E R

The Commission having considered the above-entitled matter and being of the opinion that a public hearing is not necessary, finds that the application should be granted, as herein provided; therefore,

IT IS HEREBY ORDERED as follows:

1. Clara Nigg may transfer her partnership interest in the Summer Home Park Water Company, on or before September 30, 1953, to Harry C. Wilson and Martha A. Wilson.
2. Harry C. Wilson and Martha A. Wilson may issue their promissory note, on or before September 30, 1953, in the principal amount of not exceeding \$15,000, under the terms and for the purposes set forth in the agreement of sale of said partnership interest, a copy of which agreement has been filed with the amended application in this proceeding.

3. The rates, rules and regulations of Summer Home Park Water Company now on file with the Commission shall be refiled within thirty days after the date of transfer under the names of Harry C. Wilson and Martha A. Wilson, in accordance with the procedure prescribed by General Order No. 96, or, in lieu of such refiling, Harry C. Wilson and Martha A. Wilson may file a notice of adoption of said presently filed rates, rules and regulations. No increase in the present rates shall be made unless authorized by the Commission.
4. All deposits which customers are entitled to have refunded shall be transferred to and become the obligation for refund of Harry C. Wilson and Martha A. Wilson.
5. If the authority herein granted is exercised, Harry C. Wilson and Martha A. Wilson, within thirty days thereafter, shall notify the Commission in writing of the date of the completion of the transfer herein authorized and of their compliance with the conditions hereof.
6. Harry C. Wilson and Martha A. Wilson shall file a report of the issue of the note as required by General Order No. 24-A, which order, in so far as applicable, is made a part of this order.
7. The authority herein granted will become effective when Harry C. Wilson and Martha A. Wilson have paid the minimum fee prescribed by Section 1904(b) of the Public Utilities Code, which fee is \$25.

Dated at SAN FRANCISCO, California, this 1st
 day of JUNE, 1953.

R. J. [Signature]
 President.
Justus J. [Signature]
Harold [Signature]
Wesley [Signature]

Commissioners.

