

ORIGINALDecision No. 48872

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
 WHITTIER WATER COMPANY and SOUTHERN
 CALIFORNIA WATER COMPANY for an order
 authorizing (a) Whittier Water Company
 to sell and transfer certain of its
 properties to Southern California
 Water Company and thereupon to discon-
 tinue rendition of water service to
 customers then served by said proper-
 ties and (b) Southern California Water
 Company to purchase said properties
 and thereupon to render water service
 to customers then served thereby.

Application No. 34506

OPINION AND ORDER

This is an application for an order authorizing (1) Whittier Water Company to sell and transfer certain of its properties to Southern California Water Company, and (2) Southern California Water Company to render water service to customers now being served by the properties proposed to be transferred.

The area which includes the properties to be transferred contains $6\frac{1}{2}$ acres of land and is located between Hoxie Avenue, Kenney Road, Leibacher Avenue and Firestone Boulevard, two miles easterly of Downey, in Los Angeles County. Water service is being furnished to approximately 26 residential consumers in this area.

By its Decision No. 41625, dated May 25, 1948, in Application No. 29220, the Commission granted a certificate of public convenience and necessity to Ernst Leibacher to operate a public utility water system in this area. The Water system was later transferred to the Rivera Water System, a corporation, under authority granted in Decision No. 44881, dated October 10, 1950, in Application No. 31785. Later, the assets of the Rivera Water System

were transferred to the Whittier Water Company, which transfer was authorized by the Commission in its Decision No. 47682, dated September 16, 1952, in Application No. 33680.

The properties and facilities proposed to be transferred herein are described in an agreement, a copy of which is attached to the application as Exhibit C. The agreed price is \$3,612 plus a net adjustment for additions, retirements and depreciation subsequent to December 31, 1951.

In the event that the properties are transferred, Southern California Water Company will adopt the rates of Whittier Water Company applicable to the area served by these properties at the time of the acquisition. The order herein will provide that such rates now in effect will be filed by Southern California Water Company. Prior to the filing of this application, Southern California Water Company filed an application (No. 34191) which is now pending before the Commission, requesting rate increases in its Norwalk District which will include the service area involved in this proceeding.

As shown on a map attached to the application as Exhibit E, the area served by the subject properties is entirely surrounded by the area certificated to the Southern California Water Company, and according to the application said properties can economically be merged with and operated as part of the existing Norwalk District water system of Southern California Water Company.

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

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

IT IS HEREBY ORDERED that Whittier Water Company may, on or after the effective date hereof, and on or before December 31, 1953, sell and transfer the herein described public utility property to Southern California Water Company pursuant to the agreement of sale and purchase marked Exhibit C, a copy of which is attached to the application.

IT IS HEREBY FURTHER ORDERED that:

1. The rates of Whittier Water Company applicable to the customers served by the properties authorized herein to be transferred, now legally on file with this Commission, shall be refiled by Southern California Water Company, in conformity with General Order No. 96, to become effective on or before the actual date of transfer and after not less than five days' notice to this Commission and to the public. No increase in the present lawfully filed rates shall be made unless otherwise properly authorized by this Commission.
2. Whittier Water Company shall, on or before the date of actual transfer, refund all deposits which customers are entitled to have refunded.
3. If the authority granted herein is exercised, Whittier Water Company shall, within thirty days thereafter, notify this Commission in writing of the date of such completion of the property transfer herein authorized and of its compliance with the conditions of paragraphs 2 and 3 of this order.
4. Upon due compliance with the above conditions, Whittier Water Company shall thereupon and thereby stand relieved of all obligations and liabilities to furnish public

utility water service in the area described herein.

The authority herein granted shall become effective twenty days after the date hereof.

Dated at San Francisco, California, this 28th day of July, 1953.

[Signature]
President
Justin J. Calmes
Harold A. Hale
Harriet H. Potter
Commissioners