

ORIGINALDecision No. 48908

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of J. H. C. Hall and)
 Lydia L. Hall, his wife, (Mayer)
 Tract Water Works) to sell and)
 transfer a water system located)
 near the northerly boundary of)
 Santa Maria, Santa Barbara County,)
 to Charles Pasquini.)

Application No. 34547

OPINION AND ORDER

J. H. C. Hall and Lydia L. Hall, doing business as Mayer Tract Water Works, by the above-entitled application, ask for authority to sell and transfer their public utility water system, located in an area near the northerly boundary of Santa Maria, Santa Barbara County, to Charles Pasquini, who also joins in the application.

A certificate of public convenience and necessity to operate a public utility water system was granted to the Halls by the Commission in its Decision No. 41842, issued July 13, 1948, in Application No. 29119. The area of service is described as the Mayer Tract, Bates and Saulsbury Addition and portions of E. D. Taylor Estate Tract.

Included in the proposed transfer are all franchises, permits or operative rights owned by the Halls, together with the pumping plant, pressure equipment, water mains, rights of way and other facilities used in the operation of their water system. Also, certain real properties which are a part of the water system, namely, the south 40 feet of Lots 35 and 36 in the Mayer Tract, and certain nonutility real properties alleged to be worth \$10,000.

The application states that the cost to the applicants of their water system, plus the certain nonutility real properties, was \$18,610.50. The present value of all the aforesaid facilities and properties is stated to be \$21,000. The purchase price agreed upon, including Lots 35 and 36 in their entirety, is the sum of \$21,000, of which \$2,500 has been paid to the sellers and the balance is to be paid when the transaction is authorized by this Commission.

Applicants' capital investment as of December 31, 1952 is set forth in a copy of their financial statement which is attached to the application. The total capital therein is shown to be \$17,377, with a corresponding reserve for depreciation amounting to \$5,357. The capital accounts and depreciation reserve have been adjusted on the basis of a Commission staff report prepared in connection with Application No. 33797 recently filed by applicants for authority to increase rates and referred to in the Commission's Decision No. 48752 thereon.

The present owners desire to sell their water system for the reason that J. H. C. Hall is elderly and for several months past has been physically unable to properly maintain and operate the water system. A copy of a statement of Charles Pasquini's financial condition, attached to the application as Exhibit A, indicates that he is in a position to finance the acquisition and future operations of the properties involved herein.

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 having considered the request of the applicants and being of the opinion that the proposed sale and transfer will not be adverse to the public interest, that a public

hearing is not necessary and that the application should be granted as hereinafter provided; therefore,

IT IS HEREBY ORDERED that J. H. C. Hall and Lydia L. Hall, doing business as Mayer Tract Water Works, on and after the effective date hereof, and on or before December 31, 1953, may sell and convey their water utility properties as set forth in the application to Charles Pasquini.

IT IS HEREBY FURTHER ORDERED that:

1. The rates, rules and regulations of J. H. C. Hall and Lydia L. Hall, doing business as Mayer Tract Water Works, now legally on file with this Commission, shall be refiled within thirty days from the date of transfer under the name of Charles Pasquini in accordance with the procedure prescribed by General Order No. 96, or in lieu of such refiling. Charles Pasquini may file a notice of adoption of said presently filed rates. No increase in the present lawfully filed rates, rules and regulations shall be made unless otherwise properly authorized by this Commission.
2. On or before the date of actual transfer, J. H. C. Hall and Lydia L. Hall shall refund all deposits which customers are entitled to have refunded; and that any unrefunded deposits shall be transferred to and become the obligation for refund of Charles Pasquini.
3. If the authority herein granted is exercised, J. H. C. Hall and Lydia L. Hall 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 hereof.
4. Upon due compliance with the conditions of this order, said J. H. C. Hall and Lydia L. Hall shall

stand relieved of all further utility obligations and liabilities in connection with the operations of the public utility water system herein authorized to be transferred.

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

Dated at San Francisco, California, this 4th day of August, 1953.

[Signature]
President
[Signature]
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Commissioners