

ORIGINALDecision No. 49210

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 CALIFORNIA WATER SERVICE COMPANY, a)
 corporation, for an order authorizing)
 (1) the sale and transfer to the City)
 of Millbrae of the water system of)
 Applicant in San Mateo County known)
 as its Lomita Park System and (2) the)
 discontinuance of service by Applicant)
 in the territory in San Mateo County)
 now served by its Lomita Park System.)

Application No. 34728

OPINION AND ORDER

California Water Service Company, by this application filed September 15, 1953, seeks authority to sell its Lomita Park System to the City of Millbrae for \$418,882.35 cash, subject to certain adjustments, and thereafter to discontinue service in the territory now served by that system. The terms and conditions of the sale are set forth in an agreement, dated August 25, 1953, and in a deed and bill of sale, copies of which are annexed to the application. The City has joined in the application.

In January, 1952, the voters of the City of Millbrae passed a revenue bond issue of \$850,000 to acquire and improve all water systems within the City. A major portion of applicant's Lomita Park System is encompassed within the boundaries of the City.

The City, pursuant to the agreement of sale, will assume the obligations of the company under certain existing main extension agreements and will also assume all obligations of the company to consumers in respect of any refundable deposits, including accrued interest, made by consumers to guarantee payment of bills.

Applicant alleges that it is desirable to expedite the sale of the properties so that the City may proceed with its program for a municipal water system. No necessity for a public hearing appears to exist.

We find that the proposed transfer of properties will not be adverse to the public interest. The application, accordingly, will be granted. The action taken herein, however, shall not be construed to be a finding of the value of the properties herein authorized to be transferred.

Therefore, good cause appearing,

IT IS HEREBY ORDERED that California Water Service Company may, on or after the effective date hereof and on or before December 31, 1953, sell and transfer to the City of Millbrae, in accordance with the agreement of sale attached to the application herein as Exhibit B thereof, the properties described in said agreement.

IT IS HEREBY FURTHER ORDERED that:

1. On or before the actual date of transfer, California Water Service Company shall refund all deposits which customers are entitled to have refunded. Any unrefunded deposits shall be transferred to and become the obligation for refund of the City of Millbrae, as provided by said agreement of sale dated August 25, 1953.

2. California Water Service Company, within thirty days after the transfer of properties herein authorized, shall notify the Commission, in writing, of the date of completion thereof and of its compliance with the conditions hereof, and may thereafter discontinue public utility service in the territory now served by its Lomita Park System.

The effective date of this order shall be the date hereof.

Dated at San Francisco, California, this 13th day of October, 1953.

R. Z. Anderson
President
James F. ...
...

Commissioners