

ORIGINAL

Decision No. 49250

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of ELDEN TONINI and)
 OLYMPIA E. TONINI, his wife, as)
 Joint Tenants, to Sell, and TRUCKEE)
 PUBLIC UTILITY DISTRICT, a Body)
 Politic and Corporate Organized and)
 Existing under and by Virtue of the)
 Laws of the State of California, to)
 Purchase all the Properties of the)
 Truckee Water System, and sometimes)
 known as and called the Matt Green)
 Water System, and for Permission as a)
 Part of said Purchase to Encumber the)
 Purchased Property and Rights by a Deed)
 of Trust from the Purchaser in Favor)
 of the Sellers, as Security for the)
 Payment of a Promissory Note in the)
 Sum of \$10,000, to Bear Interest at 5%)
 per annum, evidencing a Portion of said)
 Purchase Price.)
 -----)

Application
No. 34782

O P I N I O N

This application shows that Elden Tonini and Olympia E. Tonini for a number of years have been engaged in operating The Truckee Water System located at Truckee, Nevada County, that they now desire to retire from the operations and that they have made arrangements, and in this application seek authorization, to sell their properties to Truckee Public Utility District for the sum of \$15,000.^{1/}

Truckee Public Utility District is a public corporation which has been engaged for many years in the distribution of electric energy and water in and about Truckee. It proposes to take over the properties of Elden Tonini and Olympia E. Tonini and to operate them in conjunction with its other facilities. It has agreed to pay

^{1/} In their 1952 annual report the Toninis show their investment in fixed capital at \$20,167, with service being given to 112 customers. They report for the year 1952 operating revenues of \$3,316.

applicants Tonini the sum of \$5,000 of the purchase price in cash and to issue to them a note for the remaining \$10,000, said note to be payable in semi-annual installments of not less than \$1,250 each with interest on the unpaid balances at the rate of 5% per annum, payment to be secured by a deed of trust. It joins in this application and requests the Commission to make its order authorizing it to encumber the purchased property and to issue the promissory note.

We have given consideration to this application and are of the opinion that the proposed transfer will not be adverse to the public interest and that an order should be entered authorizing Elden Tonini and Olympia E. Tonini to sell and transfer their water system. In our opinion we have no jurisdiction over the execution of the deed of trust and the issue of the note by Truckee Public Utility District.

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

ORDER

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

IT IS HEREBY ORDERED as follows:

1. Elden Tonini and Olympia E. Tonini may sell and transfer The Truckee Water System to Truckee Public Utility District, on or before February 28, 1954, under the terms and conditions set forth in this application.

2. On or before the date of actual transfer to the district, Elden Tonini and Olympia E. Tonini shall refund deposits, if any, which customers are entitled to have refunded.

3. If the authority herein granted is exercised, Elden Tonini and Olympia E. Tonini, within 30 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 terms hereof.

4. The authority herein granted will become effective upon the date hereof.

Dated at Los Angeles, California, this 27th day of October, 1953.

R. Z. [Signature]
President

Justin J. [Signature]

Kenneth [Signature]

Edwin E. [Signature]

James [Signature]
Commissioners