

ORIGINAL

Decision No: 49362

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 NIELS SCHULTZ, doing business under)
 the name of MILLBRAE HIGHLANDS WATER)
 COMPANY, for an order authorizing)
 (1) the sale and transfer to the City)
 of Millbrae of the water system of)
 applicant in the City of Millbrae,)
 San Mateo County, and (2) the discon-)
 tinuance of service by applicant in)
 certain territory in the City of)
 Millbrae, San Mateo County.)

Application No. 34727
 First Supplemental

OPINION AND ORDER

By Decision No. 49211 dated October 13, 1953 in this proceeding, the Commission authorized applicant, on or after the effective date of the order and on or before December 31, 1953, to sell to the City of Millbrae certain water utility properties, in accordance with the terms of an agreement dated August 25, 1953:

By his first supplemental application herein, applicant alleges that the city's obligations under the agreement are conditional upon the issuance and sale by it of \$850,000 of water revenue bonds which are to be sold to provide the purchase price of applicant's properties and other public utility properties to be acquired by the city. The agreement also provides for the making of certain adjustments in the purchase price and the prorating of various expenses and charges. Applicant also alleges that it is necessary that the closing on the purchase of several other systems which the city is acquiring, be held at the same time. It is alleged that for the foregoing reasons it appears that it will probably not be possible to consummate the sale until after December 31, 1953.

Applicant therefore requests that the Commission's order in Decision No. 49211 be amended to extend the time for the consummation of the sale to January 31, 1954. The City of Millbrae has joined in the supplemental application:

Therefore, good cause appearing,

IT IS ORDERED that the first ordering paragraph of Decision No: 49211 in the instant proceeding be and it hereby is amended to read as follows:

"IT IS HEREBY ORDERED that Niels Schultz, applicant herein, may, on or after the effective date hereof and on or before January 31, 1954, sell to the City of Millbrae, a municipal corporation, in accordance with the terms of an agreement, dated August 25, 1953, a copy of which is attached to the application as Exhibit B thereof, those certain properties described therein."

In all other respects said Decision No: 49211 shall be and remain in full force and effect.

This order shall be effective on the date hereof.

Dated at San Francisco; California; this 24th day of November; 1953:

[Signature]
President
Justus F. Casner
[Signature]
[Signature]
[Signature]
Commissioners