

ORIGINALDecision No. 49373

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 author-)
 izing (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
 First Supplemental ✓

OPINION AND ORDER ✓

By Decision No. 49210 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 its first supplemental application herein, applicant alleges that the city's obligations under the agreement are conditional upon the issuance and sale by the city 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. 49210 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. 49210 in the instant proceeding be and it hereby is amended to read as follows:

"IT IS HEREBY ORDERED that California Water Service Company may, on or after the effective date hereof and on or before January 31, 1954, 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."

In all other respects said Decision No. 49210 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.

A. J. [Signature]
President

Justin F. [Signature]

[Signature]

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Commissioners