

**ORIGINAL**Decision No. 49490

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )	
HERCULES WATER COMPANY, a corporation, )	
for authority to transfer, assign and )	
convey certain water properties and )	Application No. 33895
facilities to East Bay Municipal )	(First Supplemental)
Utility District, and for authority )	
to withdraw from public service as )	
a water utility. )	

SUPPLEMENTAL OPINION AND ORDER

Hercules Water Company and East Bay Municipal Utility District have joined in a supplemental application to the Commission, in the above-entitled and numbered proceeding, for an order modifying the Commission's order of January 13, 1953, in Decision No. 48145, by amending paragraph 1 thereof to provide that the transfer, assignment and conveyance therein authorized may be made at any time on or before March 31, 1954.

Applicant Hercules Water Company alleges, as justification for the requested extension of time, that it is making and will continue to make every reasonable effort to terminate certain remaining free water arrangements with some of its customers, but that said remaining free water arrangements cannot be terminated before December 31, 1953, which is the date fixed by said Decision No. 48145 for expiration of the permissive authority therein granted to applicant to transfer, assign and convey to the District the properties and facilities therein described.

The request for extension of time appears to be reasonable and it will be granted.

Therefore, good cause appearing, IT IS ORDERED that said Decision No. 48145 be and it is hereby modified by amending paragraph 1 thereof to provide that the transfer, assignment and conveyance therein authorized may be made at any time on or before March 31, 1954.

Except as modified herein, said Decision No. 48145 shall otherwise be and remain in full force and effect.

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

Dated at San Francisco, California, this 30<sup>th</sup> day of December, 1953.

A. B. [Signature]  
President

[Signature]

[Signature]  
Commissioners