

**ORIGINAL**Decision No. 49514

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Commission Investigation into the )  
 operations of Thomas Lee; Leonard A. )  
 Guiton; Philard, Inc., a corporation; )  
 Philard Incorporated, a corporation; )  
 A. L. Boles; Mrs. A. L. Boles; W. A. )  
 Hansen; Jacumba Hot Springs Company, )  
 Inc., a corporation; First Doe; )  
 Second Doe; Third Doe; and Roe Com- )  
 pany, a corporation; in connection )  
 with a public utility water system )  
 near Jacumba, San Diego County. )

Case No. 5454

SUPPLEMENTAL OPINION AND ORDER

By Decision No. 49407, dated December 8, 1953, in Case No. 5454, this Commission, among other things, ordered W. A. Hansen, Nellie B. Hansen, and D. P. Bartlett to file rates, rules and regulations of the Jacumba Water Company and make certain improvements, additions and betterments to said water system, file detailed plans and specifications therefor as more specifically set forth in ordering paragraphs (1), (2), (3) and (4) of said order.

Paragraph (5) of said order provided,

"That if D. P. Bartlett now has no legal interest in said Jacumba property he may so show by appropriate petition to this Commission."

On December 16, 1953, D. P. Bartlett filed a verified petition with the Commission wherein he alleges that on or about October 27, 1953, petitioner entered into a written agreement with W. A. Hansen and Nellie B. Hansen of Fullerton,

California, which agreement provided in part as follows:

"That certain escrow with Union Title Insurance and Trust Company, Order C-526580, is terminated and cancelled as of this date.

"Union Title Insurance and Trust Company is hereby directed to return to the sellers all documents and money, if any, deposited by them in said escrow.

"Union Title Insurance and Trust Company is hereby directed to return to D. P. Bartlett all documents deposited by him in said escrow and to pay to him all money remaining in said escrow and deposited therein by him after first deducting and retaining costs incurred by said company and said company's reasonable charges for services (including preliminary title report) rendered in connection therewith and to furnish D. P. Bartlett an accounting of such costs and charges.

"On November 1, 1953, the buyer shall return to the sellers possession of the sellers' assets in the town of Jacumba, San Diego County, California, and the sellers will assume all responsibility in connection therewith and the operation thereof."

It is also alleged that "Pursuant to said written agreement, W. A. Hansen and Nellie B. Hansen on November 1, 1953, resumed exclusive possession and exclusive operation of the water system in Jacumba, California."

Petitioner having requested that his name be stricken from the ordering paragraphs of said decision, and good cause appearing,

IT IS ORDERED:

(1) That Decision No. <sup>49407</sup>~~49097~~, in Case No. 5454 be, and the <sup>KD</sup> same hereby is, modified so as to strike the name of D. P. Bartlett,

as it appears in ordering paragraphs (1), (2), (3) and (4) of said decision.

(2) That except as herein modified said Decision No. <sup>49407</sup> ~~49097~~ <sup>1/P</sup> shall remain in full force and effect:

The effective date of this order shall be twenty days after the date hereof.

Dated at San Francisco, California, this 26th day of January, 1954.

Stewart Pott  
John E. McMillin  
Gene Higgins  
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Commissioners