

ORIGINALDecision No. 49688

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 authorizing)
 (1) the sale and transfer to East Bay)
 Municipal Utility District of Public) Application No. 35060
 Utility property in the City of Walnut)
 Creek, Contra Costa County, and (2))
 the discontinuance of service by)
 Applicant in certain territory in the)
 City of Walnut Creek, Contra Costa)
 County.)

O P I N I O N

Applicant is a public utility water corporation serving a large number of communities in California, including several in Contra Costa County. The City of Walnut Creek (hereinafter called "City") was one of the latter. Service to the City was, however, wholesale only since the City owned its own distribution system.

In February, 1953 the City was annexed to the East Bay Municipal Utility District (hereinafter called "District") and transferred its system to the District. The District, though not subject to regulation by the Commission, approved and joins in this application.

It appears that applicant has been rendering a retail service to certain consumers. The areas involved were in the unincorporated area until recently and have been annexed to the City since the City joined the District.

Applicant desires to transfer its utility property in two such areas to the District. One of these is Margarido Drive which has sixteen services and for which the District has agreed to pay \$2,575. The other is Holcomb Court which has five services for which the District has agreed to pay \$710. The inhabitants are subject to taxation by the District and would prefer to be served by it.

The District is a public district with thousands of consumers ranging from the smallest residential units to large industries. It is obviously capable of serving these consumers.

Under the circumstances there appears to be nothing in this transaction contrary to the public interest. No public hearing appears to be required. The action taken herein shall not be construed to be a finding of the value of the property herein authorized to be transferred.

O R D E R

The above-entitled application to transfer public utility property having been filed with this Commission, the Commission being of the opinion that no public hearing is necessary, and it appearing to the Commission that the proposed transfer will not be adverse to the public interest, therefore,

IT IS HEREBY ORDERED that California Water Service Company, a corporation, may, on or after the effective date hereof and on or before June 30, 1954 sell and transfer those certain parcels of property described therein and partially shown by the map attached to the application (Exhibit "B") to the East Bay Municipal Utility District at the prices set forth in the application.

IT IS HEREBY FURTHER ORDERED that:

(1) That on or before the date of actual transfer, California Water Service Company shall refund all deposits which customers are entitled to have refunded. In the event that any such deposits remain unclaimed at the date of the transfer, the amounts thereof shall be retained by California Water Service Company in a special account without interest.

(2) Applicant shall, within thirty days thereafter, notify this Commission in writing, of the completion of the property transfer herein authorized and of its compliance with the terms hereof.

(3) The California Water Service Company is authorized to withdraw from public utility water service within the areas authorized to be transferred herein as of the actual date of delivery of said properties to the East Bay Municipal Utility District.

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

Dated at San Francisco, California, this 16th day of February, 1954.

A. Z. Anderson
President
Justin J. Calmes
Lawrence P. Patten
John L. Mitchell
James Higgins
Commissioners