

ORIGINAL

Decision No. 50875

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
)
 -of-)
)
 ALETHA L. KING, as Grantee, Sur-)
 viving spouse and Executrix of)
 the Estate of JACK M. KING, also)
 known as J. M. KING, and ELIZABETH)
 PATTERSON, doing business as K P TRACT)
 WATER COMPANY to transfer franchises,)
 licenses, permits and operative rights)
 to WILLIAM F. RHYNE, Sr., as Buyer.)
 -----)

Application
No. 36362

OPINION AND ORDER

This is an application for an order of the Commission authorizing Aletha L. King, as grantee, surviving spouse and executrix of the estate of Jack M. King, and Elizabeth Patterson to transfer to William F. Rhyno, Sr. a public utility water system known as K. P. Tract Water Company.

It appears that Jack M. King and Elizabeth Patterson were granted by Decision No. 46193, dated September 18, 1951, in Application No. 32381, a certificate of public convenience and necessity to operate a public utility water system in Sacramento County, approximately one mile south of the City of Sacramento. The water system operates under the name of K. P. Tract Water Company. Its annual report to the Commission for the year 1953 shows the number of active service connections at 13 and the depreciated investment in utility plant at \$4,651.70.

It is now reported that Jack M. King is deceased and that his widow, Aletha L. King as executrix of his estate, together with

Elizabeth Patterson, desire to withdraw from the water business and have made arrangements to convey the utility properties to William F. Rhyne, Sr. in exchange for the equity of William F. Rhyne, Sr. in a parcel of real property situate in Sacramento County. It is reported that no cash funds are to be exchanged and that no arbitrary values have been placed on the properties. The utility properties to be conveyed include real property on which the utility plant is located, which is described as follows:

The East 40 feet of the South 40 feet of Lot 12, K. P. Tract, according to the official plat thereof filed in the office of the Recorder of Sacramento County, California, on February 17, 1947, in Book 25 of Maps, Map No. 24.

The Commission has considered this matter and is of the opinion that a public hearing is not necessary, that the proposed transfer will not be adverse to the public interest, and that the application should be granted, as herein provided; therefore,

IT IS HEREBY ORDERED as follows:

1. Aletha L. King, as grantee, surviving spouse and executrix of the estate of Jack M. King, and Elizabeth Patterson, after the effective date hereof and on or before March 31, 1955, may transfer to William F. Rhyne, Sr. the water properties referred to herein known as K. P. Tract Water Company, under the terms and conditions set forth in this application, and thereafter may withdraw from the public utility water business.

2. The action taken herein shall not be construed to be a finding of the value of the properties herein authorized to be transferred.

3. On or before the date of actual transfer, Aletha L. King, as grantee, surviving spouse and executrix of the estate of

Jack M. King, and Elizabeth Patterson shall refund all deposits which customers are entitled to have refunded. Any unrefunded deposits shall be transferred to and become the obligation for refund of William F. Rhyne, Sr.

4. The rates, rules and regulations of Aletha L. King, as grantee, surviving spouse and executrix of the estate of Jack M. King, and Elizabeth Patterson, doing business as K. P. Tract Water Company, now on file with the Commission shall be refiled within 30 days after the date of transfer under the name of William F. Rhyne, Sr., in accordance with the procedure prescribed by General Order No. 96, or, in lieu of such refileing, William F. Rhyne, Sr. may file a notice of adoption of said presently filed rates, rules and regulations. No increase in the present rates shall be made unless authorized by the Commission.

5. If the authority herein granted is exercised, Aletha L. King, as grantee, surviving spouse and executrix of the estate of Jack M. King, and Elizabeth Patterson, within 30 days thereafter, shall notify the Commission in writing of the date of the completion of the transfer herein authorized and of their compliance with the conditions hereof.

6. The authority herein granted will become effective upon the date hereof.

Dated at San Francisco, California, this 21st day of December, 1954.

John E. ...
 President

James J. ...

Kenneth ...

Gene ...

Paul ...
 Commissioners