

ORIGINAL

Decision No. ~~50835~~

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the PIONEER GARDENS)
 WATER COMPANY, a corporation, and)
 B. F. McGLOTHLEN, MARY JANE McGLOTHLEN)
 and the EAST SAN BERNARDINO COUNTY)
 WATER DISTRICT, for permission to sell) Application No. 35913
 the physical assets of the PIONEER)
 GARDENS WATER COMPANY and other assets)
 appurtenant to the water system thereof)
 to the EAST SAN BERNARDINO COUNTY)
 WATER DISTRICT.)

OPINION AND ORDER

Pioneer Gardens Water Company,^{1/} a corporation, and
 B. F. McGlothlen and Mary Jane McGlothlen,^{2/} by application filed
 November 1, 1954, seek authority from this Commission to sell the
 physical assets of Pioneer Gardens Water Company and other assets
 appurtenant thereto, to East San Bernardino County Water District,
 which joins in the application.

The various assets and facilities proposed to be trans-
 ferred are owned in part by the Company and in part by the
 McGlothlens. Under the terms of the "Contract of Purchase", a copy
 of which is attached to the application as Exhibit A, Company and
 McGlothlens propose to sell their water system properties to the
 District for the sum of \$675,000, plus the cost of certain capital
 additions and improvements specified in the agreement. The purchase
 price is to be paid from the proceeds of bonds to be issued by the
 District. The various assets to be transferred are described in
 said agreement.

The application states that the territory served by
 Pioneer Gardens Water Company lies mostly without but partly within

^{1/} Sometimes herein called Company.
^{2/} Sometimes herein called McGlothlens.

the City of San Bernardino. The greater part of Company's service area, according to the agreement, is included within the District boundaries. Correspondence from counsel for the Company and counsel for the District states that the District will serve all of Company's present customers.

Amounts advanced to and still unrefunded by the Company to cover the cost of installing mains total \$39,197.26 as listed in Exhibit B attached to the application. Pioneer Gardens Water Company, a corporation, is to deposit in trust with Pioneer Title and Trust Company of San Bernardino a sum or sums of money sufficient to refund said advances.

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

The Commission has considered the applicants' request and is of the opinion that the proposed transfer will not be adverse to the public interest, that a public hearing is not necessary, and that the requests of the applicants should be granted; therefore,

IT IS HEREBY ORDERED that:

1. Pioneer Gardens Water Company, a corporation, and B. F. McGlothlen and Mary Jane McGlothlen may, on or after the effective date hereof and on or before July 31, 1955, sell and transfer the herein-described public utility property to East San Bernardino County Water District pursuant to the contract of purchase included in the application as Exhibit A.
2. On or before the actual date of transfer, Pioneer Gardens Water Company, a corporation, shall refund all deposits which customers are entitled to have refunded, and within thirty days thereafter shall notify this Commission in writing of the completion of such refunding.
3. On or before the actual date of transfer Pioneer Gardens Water Company, a corporation, shall file with this Commission a verified statement showing the consumers' advances refunded in accordance with the provisions of Section IX of the application and the disposition to be made of any advances.

- 4. If the authority herein granted is exercised, Pioneer Gardens Water Company, a corporation, and B. F. McGlothlen and Mary Jane McGlothlen shall, within thirty days thereafter, notify this Commission in writing of the date of such completion of the property transfer herein authorized and of their compliance with the conditions hereof.
- 5. Upon due compliance with all of the conditions of this order, said Pioneer Gardens Water Company, a corporation, and B. F. McGlothlen and Mary Jane McGlothlen shall stand relieved of all further public utility obligations and liabilities in connection with the operation of the public utility water system herein authorized to be transferred.

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

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

[Signature]
President

[Signature]

[Signature]

[Signature]

[Signature]
Commissioners

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