

**ORIGINAL**Decision No. 51931

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of FIGARDEN ESTATES)  
 WATER CO., a corporation, to sell)  
 all of its physical assets. )

Application No. 37175

OPINION AND ORDER

Figarden Estates Water Company,<sup>1/</sup> a corporation, by application filed July 30, 1955, seeks authority from this Commission to sell and transfer its public utility water system properties to Fresno County Waterworks District No. 21,<sup>2/</sup> which joins in the application. Company proposes to sell all of its physical assets as described in a form of deed attached to the application as Exhibit A.

Company was granted a certificate of public convenience and necessity by this Commission by its Decision No. 49450, dated December 21, 1953, in Application No. 34777.

The application states that the water distribution system proposed to be transferred is to be incorporated into the system to be operated by District, that the purchase price of said properties is to be \$16,636.31, which amount is to be paid in cash upon the transfer at such time as the proposed sale is approved by the Commission. Company's annual report to this Commission for the year 1954 shows the original cost of the properties to be \$15,494.21 and a reserve for depreciation of \$581.26 as of December 31, 1954.

The application alleges that the transfer is in the best interest of the consumers of the system as they will be provided with greater standby facilities at equal or lower rates.

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1/ Sometimes herein called Company.

2/ Sometimes herein called District.

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

The Commission having considered the above-entitled application and being 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 application should be granted; therefore,

IT IS HEREBY ORDERED as follows:

1. That Figarden Estates Water Company, a corporation, may, on or after the effective date hereof and on or before December 31, 1955, sell and transfer its public utility water system properties described herein to Fresno County Waterworks District No. 21 under the terms and conditions set forth in the application.
2. That on or before the date of actual transfer, Figarden Estates Water Company 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. That Figarden Estates Water Company shall, within thirty days after the actual date of transfer, file with this Commission a verified statement showing all obligations to make refunds of consumers' advances for construction, the amounts thereof, and the names of persons or corporations in whose favor such obligations exist.
4. That if the authority herein granted is exercised, Figarden Estates Water Company shall, within thirty days thereafter, notify this Commission in writing of the date of such completion of the property transfer herein authorized and of its compliance with the conditions hereof.
5. That upon due compliance with all of the conditions in this order, said Figarden Estates Water Company shall stand relieved of all further public utility

obligations and liabilities in connection with the operation of the water system properties 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 6TH day of SEPTEMBER, 1955.

John E. Mitchell  
President

James J. Cassel  
J. R. Hardy

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Commissioners