

ORIGINAL

Decision No. 53967

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of)
JOSEPH A. ROMANO dba)
SUNNYSIDE GREEN WATER CO., to)
sell all of its physical assets)
to FRESNO COUNTY WATERWORKS)
DISTRICT NO. 24)

Application No. 38475

OPINION AND ORDER

By this application filed October 5, 1956, Joseph A. Romano,¹ doing business as Sunnyside Green Water Co., seeks authority from this Commission to sell the physical assets of his water system to Fresno County Waterworks District No. 24,² which joins in the application. Seller also asks to be relieved of his public utility obligations.

Under the terms of an agreement executed on September 28, 1956, a copy of which is attached to the application, Seller proposes to sell to District for the sum of \$17,802.23 his water system properties described therein. The purchase price is to be paid from the proceeds from bonds which have been sold by District.

A certificate of public convenience and necessity to operate the public utility water system to be transferred herein was granted to Joseph A. Romano by the Commission in its Decision No. 52537, issued January 31, 1956, in Application No. 37531 as amended. Water is furnished to customers in an area known as Tract 1514, Fresno County. The application states that all of Seller's

¹ Sometimes herein called Seller.

² Sometimes herein called District.

customers are located within the boundaries of District and that District proposes to continue water service to each.

The record in the proceeding by which the certificate of public convenience and necessity was granted to applicant shows that the total original cost of the water system properties as of December 22, 1955, was \$14,367.23.

Authority for the transfer is stated to be sought for the reason that District proposes to build and operate an integrated water system that will more adequately be able to serve all potential customers located within its boundaries.

It is stated in the application that Seller does not have any customers' deposits or advances for construction outstanding.

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 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; therefore,

IT IS ORDERED that:

1. Joseph A. Romano may, on or after the effective date hereof and on or before March 31, 1957, sell and transfer his public utility properties to Fresno County Waterworks District No. 24 substantially in accordance with the terms of the agreement, a copy of which is attached to the application.
2. On or before the date of actual transfer, Joseph A. Romano shall refund all customers' deposits which customers are entitled to have refunded, if any, and within thirty days thereafter shall notify this Commission in writing of the completion of such refunding.
3. Joseph A. Romano shall, within thirty days after the date of actual transfer, file with this Commission a verified statement showing all obligations to make refunds of advances for construction, if any, the amounts thereof, and the names of persons or corporations in whose favor such obligations exist as of the date of transfer.

4. If the authority herein granted is exercised, Joseph A. Romano shall, within thirty days thereafter, notify this Commission in writing of the date of such completion of the property transfer herein authorized and of his compliance with the terms hereof.
5. Upon due compliance with all the conditions of this order, said Joseph A. Romano shall stand relieved of all further public utility obligations and liabilities in connection with the water system herein authorized to be transferred.

It being alleged that this matter should be expedited in the public interest, that District has voted the necessary bonds and has sold a substantial portion thereof and that District has let contracts for the installation of water distribution facilities except for the area being transferred herein, the authority being granted herein shall be effective on the date hereof.

Dated at Los Angeles, California, this 23rd
day of OCTOBER, 1956.

[Signature]
President
[Signature]
[Signature]
[Signature]
Commissioners