

Decision No. 54132**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of AGNES ARMENTROUT, trans-)
 acting a business in the Town of)
 Cottonwood, Shasta County, California,)
 under the name and style of COTTONWOOD)
 WATER WORKS for approval of a transfer) Application No. 38431
 of the good will of her said water)
 service to COTTONWOOD COUNTY WATER)
 DISTRICT and the discontinuance of the)
 service of said Cottonwood Water Works.)

OPINION AND ORDER

By this application filed September 19, 1956, Agnes Armentrout, also known as Agnes L. Armentrout, doing business as Cottonwood Water Works,^{1/} seeks authority from this Commission to discontinue water service and to sell what is termed "good will" for the sum of \$1,000 cash to Cottonwood County Water District,^{2/} which joins in the application, under the terms of an agreement with District, executed June 6, 1956, a copy of which is attached to the application as Exhibit "A".

Applicant and her predecessor, Thomas R. Laffoon, have been furnishing water service to the unincorporated community of Cottonwood, Shasta County, since prior to 1912, and no certificate of public convenience and necessity to operate this public utility water system has ever been issued by this Commission. Tariffs providing for the utility service were first filed with the Commission on September 18, 1919. Thomas R. Laffoon was authorized by Decision No. 19628, issued April 18, 1928, in Application No. 14458,

^{1/} Sometimes herein called Applicant.

^{2/} Sometimes herein called District.

to transfer his utility properties to Applicant. According to Applicant's annual report to the Commission for the year 1955, the system furnishes water service to approximately 120 customers. The application states that District has constructed a water system and is now serving all of the customers formerly served by Applicant, and for this reason she requests authorization to discontinue her water service.

It is stated in the agreement with District that Applicant shall retain for her own use all physical assets, prepaid items, and accounts receivable of her public utility water system.

It is reported in Applicant's annual report to the Commission that her investment in utility plant as of December 31, 1955, was \$10,821.02, with no reserve shown for depreciation.

The action taken herein shall not be construed to be a finding of the value of the consideration being paid by District under the terms of its agreement with Applicant.

The Commission having considered the above-entitled application and being of the opinion that the proposed discontinuance of water service 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 ORDERED that:

1. Agnes L. Armentrout, after the effective date hereof, shall be, and she is, hereby authorized to abandon and discontinue the further deliveries of water as a public utility to her customers.
2. On or before the date of actual discontinuance of service under the authority herein granted, Agnes L. Armentrout shall refund all deposits which customers are entitled to have refunded, and within thirty days thereafter shall notify the Commission in writing of the completion of such refunding.
3. Agnes L. Armentrout shall, within thirty days after the date of actual discontinuance of service under the authority herein granted, 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 discontinuance of service.

- 4. If the authority herein granted is exercised, Agnes L. Armentrout shall, within thirty days thereafter, notify this Commission in writing of the date of such discontinuance of service herein authorized and of her compliance with the terms hereof.
- 5. Upon due compliance with all of the conditions of this order, Agnes L. Armentrout 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 discontinued.

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

Dated at San Francisco, California, this 27th day of NOVEMBER, 1956.

[Signature]
President

[Signature]

[Signature]

[Signature]

[Signature]
Commissioners