

ORIGINALDecision No. 54787

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 KENNETH L. COE and AMOS T. COE, SR.,)
 copartners for authority to transfer) Application No. 38774
 all public utility property of the)
 ROMOLAND WATER COMPANY to EASTERN)
 MUNICIPAL WATER DISTRICT.)

OPINION AND ORDER

Kenneth L. Coe and Amos T. Coe, Sr., ^{1/} copartners, doing business as Romoland Water Company, by application filed January 24, 1957, seek authority from this Commission to sell all the assets of their public utility water system to Eastern Municipal Water District, ^{2/} which joins in the application.

The terms under which the properties are proposed to be transferred are set forth in the instruments entitled "Purchase Order," "Sale of Business - Escrow Instructions," and "Escrow Instructions - Buyer," all under date of April 9, 1956, copies of which are attached to the application as Exhibit "E". According to the application the sale price of the assets to be transferred is \$15,010.76.

Copartner's water system was acquired from John L. Kinsella, by authority granted in Decision No. 43181, dated August 9, 1949, in Application No. 30343. Water is furnished by them to approximately 167 customers for residential and fire protection purposes in the unincorporated community of Romoland, Riverside County.

The balance sheet of Copartners, dated April 30, 1956, a copy of which is attached to the application as Exhibit "B", shows the total utility plant to be \$9,092.70, with a reserve for

^{1/} Sometimes herein called Copartners.
^{2/} Sometimes herein called District.

A. 38774 MK

depreciation of \$3,882.90, thus indicating a depreciated utility plant of \$5,259.80 for the water system properties proposed to be transferred.

District is a political subdivision of the State of California and the territory within its boundaries completely surrounds the area served by Copartners.

Authority for the transfer is stated to be sought for the reasons that Copartners source of water supply has failed and that District has the water, facilities, and financial ability to rehabilitate and extend the water supply to serve all of utility's present customers.

The application states that all customers' deposits have been refunded by Copartners.

The action taken herein shall not be construed to be a finding of the value of properties hereinafter 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 that:

1. Kenneth L. Coe and Amos T. Coe, Sr., copartners, may, on and after the effective date hereof, and on or before September 30, 1957, sell and transfer the herein described public utility water properties to Eastern Municipal Water District substantially in accordance with the terms of the instruments entitled "Purchase Order," "Sale of Business - Escrow Instructions," and "Escrow Instructions - Buyer," copies of which are attached to the application as Exhibit "E":

2. On or before the date of actual transfer, Kenneth L. Coe and Amos T. Coe, Sr., copartners, shall refund all deposits which are subject to refund, and within thirty days thereafter shall notify this Commission in writing of the completion of such refunding.

3. Kenneth L. Coe and Amos T. Coe, Sr., copartners, 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, Kenneth L. Coe and Amos T. Coe, Sr., copartners, 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 terms hereof.

5. Upon due compliance with all conditions of this order, said Kenneth L. Coe and Amos T. Coe, Sr., copartners, shall stand relieved of all further public utility obligations and liabilities in connection with the public utility water system herein authorized to be transferred. Concurrently, the certificate of public convenience and necessity granted by Decision No. 26427, dated October 16, 1933, in Application No. 19045, authorizing Home Farms Water Company, a predecessor of Copartners, to operate the subject water system is hereby canceled.

A. 38774 MK

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

Dated at San Francisco, California, this 2nd
day of APRIL, 1957.

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