

**ORIGINAL**Decision No. 54857

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of JOSEPH A. WEST )  
 (West Water Company) to sell )  
 the utility to CARL G. FORSBERG.)

Application No. 38694

OPINION AND ORDER

In this application, filed on December 28, 1956, Joseph A. West,<sup>1</sup> seeks authority to sell and transfer, and Carl G. Forsberg,<sup>2</sup> to purchase, the assets and properties of the water system known as West Water Company which supplies public utility water service in an unincorporated area known as West's Tract, a small subdivision located in Preston, near Cloverdale, Sonoma County.

The terms of the proposed transfer are outlined in an instrument entitled "Bill of Sale", executed on December 14, 1956, a copy of which is attached to the application. The properties of the water system, including production and distribution facilities, and all accounts receivable, are to be transferred for a cash consideration of \$1,218.71.

A certificate of public convenience and necessity to operate the subject water system was granted to Joseph A. West and Elsie A. West by Decision No. 47498, dated July 22, 1952, in Application No. 33214. The original cost of the system as shown on a financial statement attached to the application was \$1,218.71, with no amount shown for a reserve for depreciation. The utility is presently furnishing water service to three customers.

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1 Sometimes herein called West.

2 Sometimes herein called Forsberg.

The application states that Joseph A. West, having sold other property to Carl G. Forsberg, now desires to sell the water company to him also, and that Carl G. Forsberg desires to purchase and operate said water company.

Upon investigation by the Commission staff, it appears that Carl G. Forsberg has the resources to finance the purchase of the water system and to carry on its operation as a public utility.

The action taken herein shall not be construed as a finding of 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, and that a public hearing is not necessary; therefore,

IT IS HEREBY ORDERED that:

1. Joseph A. West and Elsie A. West, on or after the effective date hereof and on or before September 30, 1957, may sell and transfer all of their water utility properties referred to herein, known as West Water Company, to Carl G. Forsberg, substantially in accordance with the terms and conditions as outlined in the Bill of Sale attached to the application.
2. The rates of Joseph A. West and Elsie A. West, doing business as West Water Company, now on file with the Commission, shall be refiled within thirty days of the date of actual transfer under the name of Carl G. Forsberg, in accordance with the procedure prescribed by General Order No. 96, or, in lieu of such refileing, said Carl G. Forsberg may file a notice of adoption of said presently filed rates. No increase in present lawfully filed rates shall be made unless otherwise properly authorized by this Commission.
3. On or before the date of actual transfer, Joseph A. West and Elsie A. West shall refund all customers' deposits and all advances for construction which are subject to refund. Any unrefunded deposits and advances for construction shall be transferred to and become the obligation for refund of Carl G. Forsberg.
4. If the authority herein granted is exercised, Joseph A. West and Elsie A. West, within thirty days thereafter, shall notify this Commission in writing of the date of such completion of the property transfer herein authorized.

5. On or before the date of actual transfer, Joseph A. West and Elsie A. West shall transfer and deliver to Carl G. Forsberg, and the latter shall receive and preserve all records, memoranda, and papers pertaining to the construction and operation of the properties hereinabove authorized to be transferred.
6. Upon due compliance with all of the conditions of this order, said Joseph A. West and Elsie A. West shall stand relieved of all further public utility obligations and liabilities in connection with the operation of the public utility water system hereinabove authorized to be transferred.

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

Dated at San Francisco, California, this 16<sup>th</sup> day of April, 1957.

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