

ORIGINALDecision No. 55000

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application
of SOUTHWEST WATER CO., a California
corporation, for a certificate of
public convenience and necessity to
furnish water service in the vicinity
of Etiwanda, San Bernardino County,
and for permission to issue Class A
Preferred Stock.

Application No. 37413

SUPPLEMENTAL ORDER

Decision No. 54327, dated December 27, 1956, in Application No. 37413, among other things, provided in paragraph 6 thereof for the acquisition by Southwest Water Co. of 1,840 shares of stock of the Rochester Water Company and in paragraph 7 thereof provided for the acquisition of Etiwanda Domestic Water Association's stock and assets. Southwest Water Co. by petition sought modification and clarification of Decision No. 54327, paragraphs 6 and 7 thereof. Decision No. 54697, dated March 19, 1957, amended paragraphs 6 and 7 of said Decision No. 54327. Southwest Water Co. now requests that said paragraphs 6 and 7 of Decision No. 54327, as amended by Decision No. 54697, be further modified and clarified.

The Commission has considered such request and has concluded that it should be granted, Now Therefore,

IT IS ORDERED as follows:

(1) That paragraph 6 of the order of Decision No. 54327, as amended by paragraph (1) of Decision No. 54697, is further amended to read as follows:

That Southwest Water Co., after the effective date hereof, may acquire the 1,840 shares of stock of the Rochester Water Company issued and outstanding and may pay therefor \$50 for each of such shares of stock, such \$50 to be paid one-half in cash and one-half by exchange for Southwest's Class A Cumulative Preferred Stock at the par value of \$50 per share, with a dividend rate of 5½ per cent of the par value thereof, provided, however, that the funds for the acquisition of such company, Rochester's stock, and Southwest's stock to be issued in exchange, all be placed in escrow until Southwest has had delivered to it for cancellation 67 per cent or more of the shares of stock of Rochester, coincidentally with the acquisition of the assets of Domestic as hereinafter referred to, or until further order of this Commission.

(2) That paragraph 7 of the order of Decision No. 54327, as amended by paragraph (2) of Decision No. 54697, is further amended to read as follows:

That Southwest Water Co., after the effective date hereof, may acquire the physical assets, so as to exclude those commonly referred to as current assets, of Etiwanda Domestic Water Association and 131 shares of stock of the Etiwanda Water Company without lien or encumbrance, and may pay therefor the sum of \$93,451, such sum to be paid one-half in cash and one-half by exchange for Southwest's Class A Cumulative Preferred Stock at the par value of \$50 per share, with a dividend rate of 5½ per cent of the par value thereof; provided, however, that the funds for the acquisition of such company, Etiwanda's stock, and Southwest's stock to be issued in exchange, all be placed in escrow until Southwest has received the aforesaid 131 shares of Etiwanda, and has received the necessary instruments of title to the physical assets referred to, without lien or encumbrance, coincidentally with acquisition of the stock of Rochester hereinbefore referred to, or until further order of the Commission.

IT IS FURTHER ORDERED that, except as specifically amended hereby, Decisions Nos. 54697 and 54327 shall remain in full force and effect.

The effective date of this order shall be the effective date of Decision No. 54327.

Dated at San Francisco, California, this 21 day of May, 1957.

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