

Decision No. 56389**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of ARTHUR V. DETTMAN )  
 and GARNETT P. DETTMAN, for the )  
 transfer of the Seeley Water ) Application No. 39542  
 System to the Seeley Public Utility )  
 District, and approval of a lease. )

OPINION AND ORDER

By this application, filed November 7, 1957, Arthur V. Dettman and Garnett P. Dettman<sup>1/</sup>, seek approval of a lease of their public utility water system, known as Seeley Water System, to Seeley Public Utility District<sup>2/</sup>, and also request authority to sell their water system to District. This system furnishes water service to 85 customers in the unincorporated townsite of Seeley, Imperial County.

The lease, a copy of which is attached to the application, was entered into on August 28, 1952 and continues from month to month until District's pumping plant is in operation. The lease provides for payment by District of a monthly rental of \$50 to Sellers for which Sellers have also agreed to operate the water system. In addition, District has assumed payment of all other maintenance and operating expenses. The application states that the lease is in effect at the present time. Approval of this lease by the Commission has not heretofore been sought.

The terms under which the properties are proposed to be transferred are set forth in an instrument entitled "Bill of Sale",

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1/ Sometimes herein called Sellers.

2/ Sometimes herein called District.

also dated August 28, 1952, a copy of which is attached to the application. According to the bill of sale the consideration for the proposed transfer of the properties is \$642.

Sellers' water system was acquired from Scott F. Edwards and Roberta Hurtt by authority granted in Decision No. 40762, dated September 30, 1947, in Application No. 28733. The last annual report filed with this Commission by Sellers was for the year 1952. This report shows total utility plant of \$9,118.53 as of December 31, 1952, and a reserve for depreciation as of this date of \$4,742.13, thus indicating a depreciated utility plant of \$4,376.40 for the water system properties proposed to be transferred.

The application states that District is now and has been furnishing water service in and around Seeley.

The action taken herein shall not be construed to be a finding of the value of properties hereinafter authorized to be leased and transferred.

The Commission having considered the above-entitled application and being of the opinion and finding that the proposed lease and 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. Arthur V. Dettman and Garnett P. Dettman, on or after the effective date hereof, are authorized to lease their public utility water system properties, known as Seeley Water System, to Seeley

Public Utility District substantially in accordance with the terms and conditions of the lease agreement which is attached to the application.

2. Arthur V. Dettman and Garnett P. Dettman may, on or after the effective date hereof and on or before September 30, 1958, sell and transfer the herein described public utility water system properties to Seeley Public Utility District substantially in accordance with the terms and conditions of the bill of sale which is attached to the application.

3. On or before the date of actual transfer, Arthur V. Dettman and Garnett P. Dettman shall refund all customers' deposits and advances for construction which are subject to refund, if any, and within thirty days thereafter shall notify this Commission in writing of the completion of such refunding.

4. If the authority herein granted is exercised, Arthur V. Dettman and Garnett P. Dettman 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 conditions hereof.

5. Upon due compliance with all the conditions of this order, Arthur V. Dettman and Garnett P. Dettman 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 25<sup>th</sup> day of MARCH, 1958.

*[Signature]*  
President  
*[Signature]*  
*[Signature]*  
*[Signature]*

Commissioners