

ORIGINAL

Decision No. 56559

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of AUGUST J. VETTER and BEATRICE L. VETTER, his wife, doing business as ANDERSON SPRINGS WATER CO., to convey to A. R. MAEDE and SUNTA V. MAEDE, his wife, as joint tenants, a water system, together with certain real property and all rights, easements, tools and equipment thereof in full cancellation of all debts, obligations, costs and charges secured by that certain deed of trust heretofore existing on the property therein described executed by said AUGUST J. VETTER and BEATRICE L. VETTER, his wife, as Trustors to H. G. CRAWFORD and PHIL N. CRAWFORD, as Trustees, for A. R. MAEDE and SUNTA V. MAEDE, his wife, as Beneficiaries, dated July 1, 1956 and recorded in Vol. 283 of Official Records of Lake County, California, at page 180 and also in full cancellation of all debts, obligations, costs and charges secured by that certain Chattel Mortgage heretofore existing on the property therein described also executed by said AUGUST J. VETTER and BEATRICE L. VETTER, his wife, as Mortgagors, to A. R. MAEDE and SUNTA V. MAEDE, his wife, as joint tenants, as Mortgagees, dated July 1, 1956 and recorded in Vol. 283 of Official Records of Lake County, California, at page 186.

Application
No. 39960

OPINION AND ORDER

By Decision No. 55557, dated September 10, 1957, as amended, the Commission authorized A. R. Maede and Sunta V. Maede to transfer the Anderson Springs Water Co. to August J. Vetter and Beatrice L. Vetter and authorized August J. Vetter

and Beatrice L. Vetter, in part payment, to issue a note to A. R. Maede and Sunta V. Maede in the principal amount of \$6,000 and to execute a deed of trust and a chattel mortgage to secure its payment.

August J. Vetter and Beatrice L. Vetter now report that they are unable to pay the indebtedness and that they propose to transfer the water system to A. R. Maede and Sunta V. Maede in order to avoid foreclosure of the deed of trust and chattel mortgage and the costs involved in connection with the foreclosure.

From a review of the application, it appears that A. R. Maede and Sunta V. Maede financially are in a position to assume the operations of the water system and we are of the opinion, and so find, that the transfer, as proposed, will not be adverse to the public interest and should be authorized by an ex parte order, therefore,

IT IS HEREBY ORDERED as follows:

1. August J. Vetter and Beatrice L. Vetter, on and after the effective date hereof and on or before June 30, 1958, may transfer the public utility water system known as Anderson Springs Water Co., to A. R. Maede and Sunta V. Maede under the terms set forth in this application.

2. The rates, rules and regulations of August J. Vetter and Beatrice L. Vetter, doing business as Anderson Springs Water Co., now on file with the Commission shall be refiled within 30

days after the date of actual transfer under the names of A. R. Maede and Sunta V. Maede in accordance with the procedure prescribed by General Order No. 96, or, in lieu of such refiling, said A. R. Maede and Sunta V. Maede may file a notice of adoption of said presently filed rates, rules and regulations. No increases in presently filed rates shall be made unless authorized by the Commission.

3. The action taken herein shall not be construed as a finding of the value of the water system herein authorized to be transferred.

4. On or before the date of actual transfer, August J. Vetter and Beatrice L. Vetter shall refund all deposits which customers are entitled to have refunded. Any unrefunded deposits shall be transferred to and become the obligation for refund of A. R. Maede and Sunta V. Maede.

5. On or before the date of actual transfer, August J. Vetter and Beatrice L. Vetter shall transfer and deliver to A. R. Maede and Sunta V. Maede, and the latter shall receive and preserve all records, memoranda and papers pertaining to the construction and operation of the properties herein authorized to be transferred.

6. If the authority herein granted is exercised, August J. Vetter and Beatrice L. Vetter shall, within 30 days thereafter, notify the Commission in writing of the date of the completion of the transfer herein authorized, and of their compliance with the conditions hereof.

7. Upon due compliance with all of the conditions of this order, August J. Vetter and Beatrice L. Vetter shall stand relieved of all further public utility obligations in connection with the operation of the public utility water system herein authorized to be transferred.

8. The authority herein granted will become effective 20 days after the date hereof.

Dated at San Francisco, California, this 22 day of April, 1958.

[Signature]
President
[Signature]
[Signature]
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Commissioners