

Decision No. 57624

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of WILLIAM OSTERBERG,)
(Osterberg Water Company) to trans-)
fer undivided interest to Maurits)
Osterberg, A Brother.)

Application No. 40405

OPINION AND ORDER

William Osterberg, by application filed September 3, 1958, seeks authority to transfer an undivided interest in his public utility water system, known as Osterberg Water Company, to Maurits Osterberg, his brother, who joins in the application.

By letter dated October 3, 1958, applicants state that it is intended that the system be operated as a copartnership.

The subject water system serves a portion of the City of Modesto and adjacent unincorporated territory in Stanislaus County. Records of the Commission indicate that the system operates under certificates of public convenience and necessity granted by Decision No. 41008, dated December 17, 1947, in Application No. 28407, and by Decision No. 56604, dated April 29, 1958, in Application No. 38857. At the end of 1957 the system served approximately 490 customers.

The action taken herein shall not be construed to be a finding of the 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, that a public hearing is not necessary, and that the application should be granted; therefore,

IT IS HEREBY ORDERED that:

1. William Osterberg may, on or after the effective date hereof and on or before April 30, 1959, transfer an undivided one-half interest in his public utility water system, known as Osterberg Water Company, to Maurits Osterberg.

2. The rates and rules of William Osterberg, now on file with this Commission, shall be refiled within thirty days from the date of actual transfer under the names of William Osterberg and Maurits Osterberg in accordance with procedure prescribed by General Order No. 96, or in lieu of any such refileing, William Osterberg and Maurits Osterberg may file a notice of adoption of said presently filed rates and rules. No increases in the presently filed rates and rules shall be made unless otherwise properly authorized by this Commission.

3. If the authority herein granted is exercised, William Osterberg shall, within thirty days thereafter, notify this Commission in writing of the date of such completion of the property transfer herein authorized and of his compliance with the conditions hereof.

4. On or before the date of actual transfer of the physical properties herein authorized, William Osterberg, as an individual, shall transfer and deliver to William Osterberg and Maurits Osterberg,

as copartners, 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.

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

Dated at San Francisco, California, this 25th day of November, 1958.

E. Lynn Fox President
Walter J. ...
Richard ...
 Commissioners