

Decision No. 58008

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
Lakewood Water & Power Company, a
corporation, for an Order authorizing
Applicant to Dispose of All of its
Assets and Dissolve

Application No. 40737

OPINION AND ORDER

Lakewood Water & Power Company, a corporation, has filed this application for authorization to sell and transfer its assets to the Cities of Long Beach and Lakewood. The cities have joined in the application and have requested the Commission to enter an ex parte order authorizing the sale and transfer.

The verified application shows that the agreed base price to be paid by the City of Lakewood for the portion of the assets to be purchased by it is \$4,425,000 and the agreed base price to be paid by the City of Long Beach for the portion of the assets to be purchased by it is \$2,900,000.

The Commission has considered this application and is of the opinion that a public hearing is not necessary and that the proposed sales and transfers will not be adverse to the public interest, therefore,

IT IS HEREBY ORDERED that:

1. Lakewood Water & Power Company, a corporation, on and after the effective date hereof and on or before August 31, 1959, may sell and transfer to the City of Lakewood, pursuant to the

terms of the instrument entitled "Waterworks System Acquisition Agreement," included in the application as a part of Exhibit IV, the public utility water system properties described in the said agreement. The foregoing authority is conditional upon the following:

- (a) Lakewood Water & Power Company shall transfer any customers' deposits and advances for construction held by it, applicable to properties located within the Cities of Lakewood and Downey, to City of Lakewood, and the latter shall receive and assume the obligation for such deposits and advances pursuant to the provisions of Sections 4(f) and 4(g) of the said Waterworks System Acquisition Agreement, and they shall, within thirty days thereafter, jointly file with this Commission certified copies of appropriate instruments showing the names and addresses of all persons or corporations in whose favor such obligations exist and the amounts thereof.
- (b) The foregoing requirements of (a) of paragraph 1 hereof constitute conditions of the authority herein granted.

2. Lakewood Water & Power Company a corporation, on and after the effective date hereof and on or before August 31, 1959, may sell and transfer the public utility water system properties described in the instrument entitled "Agreement," included in the application as Exhibit V, to the City of Long Beach, pursuant to the terms and conditions of said agreement. The foregoing authority is conditional upon the following:

- (a) On or before the date of actual transfer, Lakewood Water & Power Company shall refund all customers' deposits and advances for construction applicable to properties located within the City of Long Beach, and within thirty days thereafter shall notify this Commission in writing of the completion of such refunding.
- (b) The foregoing requirements of (a) of paragraph 2 hereof constitute conditions of the authority herein granted.

3. The authority herein granted is not to be construed as a finding of the value of the properties herein authorized to be transferred.

4. If the authority herein granted is exercised, Lakewood Water & Power Company, within thirty days thereafter, shall notify this Commission in writing of the date of such completion of the property transfers herein authorized and of its compliance with the conditions hereof.

5. Upon due compliance with all the conditions of this order, Lakewood Water & Power Company shall stand relieved of all further public utility obligations and liabilities in connection with the operation of the public utility water system herein authorized to be transferred.

6. This order shall become effective twenty days after the date hereof.

Dated at San Francisco, California, this 10th day of FEBRUARY, 1959.

E. L. Fox
President
W. H. Mitchell
W. H. Mitchell
Commissioners