

ORIGINAL

Decision No. SS320

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
 of HARRY JOHANNESSEN and M. V.
 KROLOP for an order authorizing
 the sale of the properties and
 water rights of the RIVER PINES
 WATER SERVICE, Applicants.

Application No. 40972

OPINION AND ORDER

^{1/}
 Harry Johannesen, doing business as River Pines Water
 Service, by application filed March 27, 1959, seeks authorization
 to sell and transfer his public utility water system to M. V.
^{2/}
 Krolop, who joins in the application.

The subject water system serves the unincorporated
 community of River Pines, Amador County. Commission records
 indicate that the utility served approximately 160 customers as of
 December 31, 1958.

The application states that on or about July 30, 1958,
 Harry Johannesen and Roseeda E. Johannesen purchased the subject
 water system from H. E. Steinsiek and Blanche Y. Steinsiek, under
 authority granted in Decision No. 56937, dated July 8, 1958, in
 Application No. 40108. An instrument entitled "Bill of Sale",
 dated September 6, 1958, a copy of which is attached to the appli-
 cation as Exhibit "A", indicates that on that date Roseeda E.
 Johannesen transferred and assigned to Seller all of her right,

^{1/} Sometimes hereinafter called "Seller".

^{2/} Sometimes hereinafter called "Purchaser".

title and interest in and to the utility. Commission authorization for this latter transfer has not heretofore been granted, but is sought as a part of this application.

According to Commission records, the subject water system was dedicated to public use about the year 1934 and was declared a public utility in Decision No. 45010, dated November 8, 1950, in Case No. 5191. The application states that Seller desires to sell all of his right, title and interest in and to the subject utility to Purchaser for the sum of \$10,000. It is further stated that it is for the best interests and benefit of the public for said sale to be consummated in that Seller is not able, presently or prospectively, to devote his full time and attention to the operation of the utility, but that Purchaser proposes to do so.

The utility's annual report to the Commission for the year ended December 31, 1958, shows as of that date utility plant in the amount of \$21,680.89 and depreciation reserve in the amount of \$3,639.44, indicating net utility plant of \$18,041.45.

Based upon an investigation by the Commission's staff, it appears that Purchaser is capable of acquiring the water system and continuing its operation as a public utility. A balance sheet for Purchaser as of December 31, 1958, is attached to the application as Exhibit "C", indicating net worth of \$94,506.

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. The transfer of Roseeda E. Johannesen's interest in the public utility water system known as River Pines Water Service to Harry Johannesen is hereby authorized.

2. Harry Johannesen may, on or after the effective date hereof and on or before December 31, 1959, transfer his public utility water system, known as River Pines Water Service, to M. V. Krolop, in accordance with the terms and conditions set forth in the application herein.

3. The tariff schedules of Harry Johannesen shall be re-filed within thirty days from the date of actual transfer under the name of M. V. Krolop, in accordance with the procedure prescribed by General Order No. 96, or, in lieu of such re-filing, M. V. Krolop may file a notice of adoption of said presently filed tariff schedules. No increases in the presently filed rates and charges shall be made unless otherwise properly authorized by this Commission.

4. On or before the date of actual transfer, Harry Johannesen shall refund all customers' deposits and advances for construction, if any, which are subject to refund. Any such unrefunded deposits and advances shall be transferred to and become the obligation for refund of M. V. Krolop.

5. On or before the date of the actual transfer of the physical properties herein authorized, Harry Johannesen shall transfer and deliver to M. V. Krolop, and the latter shall receive

