

**ORIGINAL**Decision No. 59542

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of JOHN MOORE ROBINSON and S. I. ROBINSON doing business as PUBLIC WATER CO., to transfer all public utility property of their Edgemont System to Eastern Municipal Water District.	) ) ) ) ) ) )	Application No. 41550 Amended
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OPINION AND ORDER

By this application, filed October 5, 1959, and amended November 25, 1959, John Moore Robinson and S. I. Robinson,<sup>1</sup> doing business as Public Water Co., seek authorization to sell and transfer their public utility water system to Eastern Municipal Water District,<sup>2</sup> which joins in the application.

The utility provides water service in an area comprising approximately 80 acres near the community of Edgemont, approximately two miles northerly of March Air Force Base, Riverside County. The utility's annual report to the Commission for the year ended December 31, 1958, shows that the utility was serving three customers as of that date.

Commission records indicate that the subject water system was established pursuant to the granting of a certificate of public convenience and necessity to Sellers by Decision No. 54627, dated March 5, 1957, in Application No. 37007, amended. It has been operated by Sellers since that time.

The terms and conditions of the proposed transfer are set forth in an instrument entitled "Agreement", dated September 14,

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1 Sometimes herein called "Sellers."

2 Sometimes herein called "Purchaser."

1959, a copy of which is attached to the amended application as Exhibit "D". The transfer is contingent upon authorization by this Commission. The consideration for the transfer is to be the sum of \$9,354, payable in installments of not less than \$1 per month per active service connection within Sellers' certificated area on which Purchaser collects a minimum water service bill, together with interest at the rate of 4 per cent per year on the unpaid balance, although no interest is to be paid for the first two years following the date of the agreement. The agreement provides that the transfer price include a specified sum representing the cost of developing a well, and that this sum is subject to reduction based upon the results of a test of this well under conditions specified in the agreement.

The application states that there are no consumer deposits outstanding from any of the customers affected by the proposed transfer, and that the entirety of the public utility property sought to be transferred is free and clear of all liens, encumbrances and charges.

The entire service area of the subject water system is stated to be located within Purchaser's boundaries, as are all of the utility properties sought to be transferred. Purchaser proposes to retain and operate all of such utility properties as part of its distribution system. A map of Eastern Municipal Water District, on which its boundaries and the territory served are indicated, is attached to the application as Exhibit "C". The application alleges that public interest will best be served by consummation of the proposed transfer.

Sellers' annual report to the Commission for the year ended December 31, 1958, shows as of that date utility plant in the amount of \$16,471.29 and depreciation reserve in the amount of \$1,527.91, indicating net utility plant of \$14,943.38.

The action taken herein shall not be construed to be a finding of the value of the property 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. John Moore Robinson and S. I. Robinson may, on or after the effective date hereof and on or before August 31, 1960, transfer their public utility water system known as Public Water Co. to Eastern Municipal Water District in accordance with the terms and conditions set forth in an instrument entitled "Agreement", dated September 14, 1959, a copy of which is attached to the amended application as Exhibit "D".

2. On or before the date of actual transfer, John Moore Robinson and S. I. Robinson shall refund all customers' deposits and advances for construction, if any, which are subject to refund, and within thirty days thereafter shall notify this Commission in writing of the date of completion of such refunding.

3. If the authority herein granted is exercised, John Moore Robinson and S. I. Robinson shall, within thirty days thereafter, notify this Commission in writing of the date of completion of the property transfer herein authorized and of their compliance with the conditions hereof.

4. Upon due compliance with all of the conditions of this order, John Moore Robinson and S. I. Robinson 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.

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

Dated at San Francisco, California, this 26<sup>th</sup> day of January, 1960.

[Signature]  
President  
[Signature]  
[Signature]  
[Signature]  
Commissioners