

ORIGINALDecision No. 60651

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
 Carl W. and Pauline Allison who hold
 Decision No. 59600 to operate Valley
 View Water to furnish water to Tract
 307. Carl W. and Pauline Allison
 request permission to transfer their
 Certificate to R. C. and Ethel V.
 Soultz dba Tulco Water Co., 2873
 West Inyo Street, Tulare, California.

Application No. 42316

OPINION AND ORDER

Carl W. Allison and Pauline Allison,^{1/} doing business as
 Valley View Water Co., by application filed June 2, 1960, seek
 authorization under Section 851 of the Public Utilities Code to sell
 and transfer their public utility water system to R. C. Soultz and
 Ethel V. Soultz,^{2/} who join in the application.

The subject water system is located in unincorporated
 territory known as Tract No. 307, approximately one mile northeasterly
 of the City of Porterville, Tulare County.

Sellers were granted a certificate of public convenience
 and necessity by Decision No. 59600, dated February 1, 1960, in
 Application No. 41488. Pursuant to this decision, rates, rules and
 a tariff service area map became effective on May 16, 1960. This
 decision also required Sellers to file four copies of a comprehensive
 map, and to notify this Commission in writing of the date of first

^{1/} Sometimes herein called "Sellers".

^{2/} Sometimes herein called "Purchasers".

rendering service to the public under the rates and rules authorized in the decision. Though the requisite copies of such a map have been filed, no notification of the initial rendering of service has been received by the Commission.

The application states that Sellers are unable at this time to install and operate a public utility water system to serve the lots in the subject Tract, but that Purchasers will install the proposed system as set forth in Sellers' Application No. 41483, *supra*.

The terms and conditions of the proposed transfer are set forth in an instrument entitled "Price Agreement", a copy of which is attached to the application as Exhibit "C". The consideration for the transfer is to be the sum of \$200 and the sale is contingent upon Commission authorization.

The application alleges that the transaction will involve only the transfer of the subject certificate of public convenience and necessity and that, otherwise, no real or personal property will be involved in the transfer.

Based upon an investigation by the Commission staff, it appears that Purchasers are capable of acquiring the water system and operating it as a public utility. A balance sheet for Purchasers as of January 1, 1960, is attached to the application as Exhibit "B".

Purchasers herein will be required to assume the obligation for notifying the Commission of the date of first rendering service to the public.

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 and finding 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. Carl W. Allison and Pauline Allison may, on or after the effective date hereof and on or before December 31, 1960, transfer their public utility water system, known as Valley View Water Co., to R. C. Soultz and Ethel V. Soultz in accordance with the terms and conditions set forth in the instrument entitled "Price Agreement", a copy of which is attached to the application as Exhibit "C".
2. The rates and rules of Carl W. Allison and Pauline Allison, now on file with this Commission, shall be refiled within thirty days from the date of actual transfer under the names of R. C. Soultz and Ethel V. Soultz, in accordance with the procedure prescribed by General Order No. 96, or, in lieu of such refiling, R. C. Soultz and Ethel V. Soultz 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. On or before the date of actual transfer, Carl W. Allison and Pauline Allison 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 R. C. Soultz and Ethel V. Soultz.
4. On or before the date of actual transfer, Carl W. Allison and Pauline Allison shall transfer and deliver to R. C. Soultz and Ethel V. Soultz, 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.

5. If the authority herein granted is exercised, Carl W. Allison and Pauline Allison shall, within thirty days thereafter, notify this Commission in writing of the date of such completion of the property transfer herein authorized and of their compliance with the conditions hereof.

6. Upon due compliance with all of the conditions of this order, Carl W. Allison and Pauline Allison 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.

7. R. C. Soultz and Ethel V. Soultz shall notify this Commission, in writing, of the date service is first rendered to the public under the rates and rules authorized herein, within ten days thereafter.

8. R. C. Soultz and Ethel V. Soultz shall determine the accruals for depreciation by dividing the original cost of the utility plant less estimated future net salvage less depreciation reserve by the estimated remaining life of the plant. They shall review the accruals as of January 1 of the year following the date service is first rendered to the public under the rates and rules authorized herein and thereafter when major changes in utility plant composition occur and at intervals of not more than five years. Results of these reviews shall be submitted to this Commission.

The authority herein granted will expire if the public utility water system to serve Tract No. 307, Tulare County, has not been installed within one year after the effective date hereof.

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

Dated at San Francisco, California, this 30th day of August, 1960.

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

Commissioners