

63019

Decision No. \_\_\_\_\_

**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of WARRING BROS., a limited partnership, with Chester A. Warring, Lester J. Warring and Floyd S. Warring as general partners, and Alice Warring Giddings and Frances W. Talbot as limited partners, for authority to sell and transfer operative rights and properties to Warring Bros., a successor limited partnership, with Chester A. Warring, Lester J. Warring and Floyd S. Warring as general partners and Alice Warring Giddings, Frances W. Talbot, Jack H. Warring, William H. Warring, Anita Warring Trout and Eugene L. Warring as limited partners.

Application No. 43888  
(Filed October 31, 1961)

OPINION AND ORDER

This application involves two limited partnerships, each using the name Warring Bros. It will be convenient, therefore, to refer to them herein as the transferring partnership and the acquiring partnership, respectively.

The "transferring partnership" consists of: Chester A. Warring, Lester J. Warring, and Floyd S. Warring, as general partners, and Alice Warring Giddings and Frances W. Talbot, as limited partners.

The "acquiring partnership" consists of: Chester A. Warring, Lester J. Warring and Floyd S. Warring, as general partners, and Alice Warring Giddings, Frances W. Talbot, Jack H. Warring, William H. Warring, Anita Warring Trout, and Eugene L. Warring, as limited partners.

By this application, the transferring partnership seeks authority to sell and transfer and the acquiring partnership seeks

authority to purchase and acquire all of the operative rights and properties of the irrigation water system known as Warring Bros. Irrigation Service and the domestic water system known as Warring Bros. Domestic Service, in and near Piru, Ventura County.

By Decision No. 61797, dated April 11, 1961, in Application No. 43003, the transferring partnership was authorized to acquire the aforementioned water systems from the estates of E. C. Warring, Elizabeth R. Warring, and Ben F. Warring, deceased, and from Lester J. Warring, a copartner. The water systems had formerly been operated under the fictitious names of Piru Water Company and the Hugh Warring Domestic Water System.

The instant application alleges that no consideration has been paid for the instant transfer of the operative rights and properties of the two public utility systems. The acquiring partnership will merely be substituted as the owner thereof in place of the transferring partnership.

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 has considered the instant application and finds 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 transferring partnership may, on or after the effective date hereof and on or before June 30, 1962, transfer the herein described public utility water system properties to the acquiring partnership, in accordance with the terms set forth in the application.

2. The rates and rules of the transferring partnership now on file with this Commission shall be refiled within thirty days after the date of actual transfer under the name of the acquiring partnership, in accordance with the procedure prescribed by General Order No. 96 or in lieu of such refiling, the latter partnership may file a notice of adoption of said presently filed rates and rules. No increase in the present rates or change in the present rules shall be made unless authorized by the Commission.

3. On or before the date of actual transfer, the transferring partnership shall refund all customers' deposits and customers' advances for construction, if any, which are subject to refund. Any unrefunded deposits and advances shall be transferred to and become the obligation for refund of the acquiring partnership.

4. On or before the date of actual transfer, the transferring partnership shall transfer and deliver to the acquiring partnership, 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, the acquiring partnership shall, within thirty days thereafter, notify this Commission in writing of the date of completion of the property transfer herein authorized, and of compliance with the conditions hereof.

6. Upon due compliance with all the conditions of this order, the transferring partnership shall stand relieved of all further public utility obligations and liabilities in connection with the

operation of the public utility water systems 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 9<sup>th</sup> day of JANUARY, 1967.

Wendell H. Page  
President

Arthur E. H. H. H.

C. L. Fox

George J. Hoover

Frederick B. Hallock  
Commissioners