

**ORIGINAL**

Decision No. 63471

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of NEIL M. CECIL,  
a sole proprietor, doing business  
as COLLEGE GARDENS WATER COMPANY,  
for an order authorizing him to  
sell substantially all of the  
property of College Gardens Water  
Company, which property is necessary  
in the performance of the water  
company's duties to the public.

Application No. 44230  
(Filed March 1, 1962)

OPINION AND ORDER

By this application, Neil M. Cecil, doing business as College Gardens Water Company, seeks authority to transfer all of his water system in the City of Modesto to that city, which joins in the application.

The application alleges that Cecil agrees to sell and City to buy, Cecil's properties in Modesto. City agrees to assume Cecil's public utility obligations in this area.

The aggregate original cost of the properties proposed to be transferred is estimated to be \$33,000. City agrees to pay a basic purchase price of \$40,800 in cash. There are no obligations outstanding except ad valorem taxes and sixteen deposits totaling \$41.20. Cecil proposes to refund these, as far as possible, by credits on the customers' bills for March 1962, and, in any event, to complete any and all refund obligations on or before consummation of the sale.

The Commission finds and concludes that the proposed transfer is not adverse to the public interest and should be authorized. The action taken herein, however, shall not be construed to be a finding of the value of the properties authorized to be transferred.

Cecil and City desire to consummate their agreement at the earliest opportunity. Therefore, the Commission finds and concludes that the order herein should be made effective on its date. Public hearing is not necessary. Accordingly,

IT IS ORDERED that:

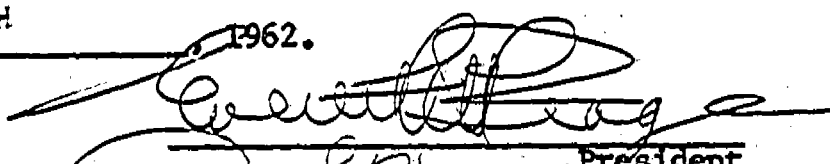
1. On or after the effective date hereof, and on or before October 31, 1962, Neil M. Cecil may transfer and sell to the City of Modesto the College Gardens Water Company, a public utility water system lying entirely within that city for the sum of \$40,800 in cash and otherwise in accordance with the terms and conditions set forth in the application.
2. On or before the actual date of transfer, Neil M. Cecil, doing business as College Gardens Water Company, shall refund all customers' deposits for the establishment of credit, and advances for construction, if any, which are subject to refund, and within fifteen days thereafter, shall notify this Commission in writing of the completion of such refunding.
3. If the authority herein granted is exercised, Neil M. Cecil shall, within thirty days thereafter, file with this Commission a certified copy of each deed or other instrument of conveyance as executed to effect the transfer of the property hereinabove authorized.

4. Within ten days after the actual date of transfer, Neil M. Cecil shall notify this Commission in writing of the date of transfer and the date upon which the City of Modesto shall have assumed operation of the water system herein authorized to be transferred.

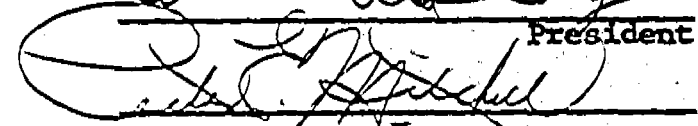
5. Upon compliance with this order, Neil M. Cecil shall stand relieved of his public utility obligations in the area served by the transferred property and may discontinue service concurrently with the commencement of service by the City of Modesto.

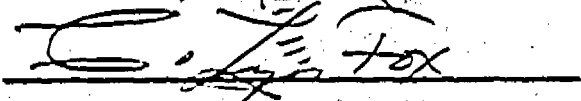
The effective date of this order shall be the date hereof.

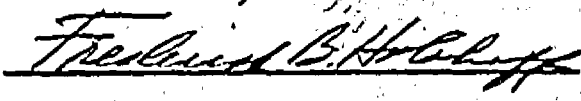
Dated at San Francisco, California, this 17<sup>th</sup> day of MARCH, 1962.



President







Commissioners