

Decision No. 65053

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 GREAT OAKS WATER CO., a California)
 corporation, and JAMES A. ARNOTT,)
 dba PLEASANT VALLEY WATER CO. for)
 (1) Order authorizing acquisition)
 of property owned by Pleasant Val-)
 ley Water Co. by the Great Oaks)
 Water Co.; (2) Order authorizing)
 transfer of certificate of public)
 convenience and necessity; and,)
 (3) Authority to enter into a pro-)
 posed agreement between parties.)

Application No. 45123
 Filed January 21, 1963

O P I N I O N

By this application James A. Arnott seeks authority to transfer a certificate of public convenience and necessity to Great Oaks Water Co., a public utility water corporation.

James A. Arnott was granted a certificate of public convenience and necessity by this Commission's Decision No. 58552, in Application No. 40899, issued June 8, 1959. Said decision, among other things, specified:

"5. The certificate and the authorization hereinabove granted will expire if not exercised within one year from the effective date of this order."

The order became effective on June 23, 1959. The expiration date, for nonexercise of the certificate, thus became June 23, 1960.

The instant application in paragraph 6 thereof states that James A. Arnott has never conducted business and in paragraph 10 thereof states that Arnott is a nonoperating company and unable to furnish service.

The Commission finds the facts to be that the certificate of public convenience and necessity heretofore issued has not been

exercised by James A. Arnott and that the same has lapsed and is of no effect. It necessarily follows that the application herein must be denied. Such denial, as it may affect Great Oaks Water Co, will be without prejudice to the filing of an appropriate application by Great Oaks Water Co. for a certificate of public convenience and necessity to serve the area for which the lapsed certificate was originally issued.

IT IS ORDERED that Application No. 45123 is hereby denied without prejudice as above stated.

Dated at San Francisco, California, this 12th day of MARCH, 1963.

Gerrit H. Hoover
President

John P. Mitchell

Robert W. Long

Frederick C. Hillhoff

William W. Bennett
Commissioners