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ORIGINAL

Decision No. _____

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application
of Glen D. Crumal and Anthony Coppola
dba Buhl Water Co., holding Decision
No. 59728 to operate a public utility
water system, requests permission to
transfer their Certificate to Martin
Buhl, 4050 West Vassar Drive, Visalia,
California.

Application No. 45348

O P I N I O N

The Commission granted a certificate of public convenience and necessity to applicant sellers by Decision No. 59728 in Application No. 41459 on February 29, 1960. This system, called Buhl Water Company, is a short distance west of Visalia, Tulare County. An engineer of the Commission's Hydraulic Branch made a study of the application, a copy of which is hereby incorporated in the record as Exhibit 1.

Applicants Martin and Leona T. Buhl were the original owners of the land occupied by the water system. Sellers acquired one-half of the area, subdivided it, and installed one-half of the water system. The buyers wish to purchase the half constructed by sellers and complete the system.

The stated consideration is \$30,439.43. This sum represents the depreciated "out-of-pocket" cost to sellers plus ten percent for overhead and indirect cost.

Exhibit 1, the staff study, reveals that construction advances will not exceed 43 percent upon completion of the system. The study gives full effect to utility plant, depreciation reserve and main extension advances together with the additions proposed by the buyers. This is less than the 50 percent maximum prescribed by this utility's filed main extension rule.

Present rates of the sellers will be adopted by the buyers.

The Commission finds that the proposed transfer would not be adverse to the public interest.

The Commission concludes that the application should be granted.

Martin Buhl and Leona T. Buhl are hereby placed on notice as follows:

1. The certificate acquired by them pursuant to the following order is subject to the following provision of law:

The Commission shall have no power to authorize the capitalization of this certificate of public convenience and necessity or the right to own, operate, or enjoy such certificate of public convenience and necessity in excess of the amount (exclusive of any tax or annual charge) actually paid to the State as the consideration for the issuance of such certificate of public convenience and necessity or right.

2. The authorization herein granted shall not be construed as a finding of the value of the rights and properties herein authorized to be transferred.

A public hearing is not necessary.

O R D E R

IT IS ORDERED that:

1. After the effective date hereof and before December 31, 1963, Glen D. Crumal and Anthony Coppola, sellers, may transfer and sell to Martin Buhl and Leona T. Buhl, buyers, the public utility water system known as Buhl Water Company, for the sum of \$30,439.43 cash and in accordance with the terms and conditions set forth in the application.

2. Future main extensions shall be installed in accordance with the utility's filed main extension rule.

3. On or before the date of actual transfer, sellers shall refund all customer deposits and advances for construction, if any, which are subject to refund as of the date of transfer. Any unrefunded deposits and advances shall be transferred to and become the obligation for refund of buyers.

4. On or before the date of actual transfer, sellers shall transfer and deliver to buyers and the latter shall receive and preserve, all records, memoranda and papers pertaining to the construction and operation of the property herein authorized to be transferred.

5. Within thirty days after the authority granted herein is exercised, sellers shall notify this Commission in writing of the date of completion of the property transfer and of their compliance with the conditions hereof.

6. Within thirty days after the date of actual transfer, buyers shall file a notice of adoption of the rates and rules of Glen D. Crumal and Anthony Coppola now on file with this Commission, in accordance with the procedure prescribed by General Order No. 96-A.

7. Within thirty days after the date of actual transfer, buyers shall file with this Commission a certified copy of each deed or other instrument of conveyance as executed to effect the transfer of property hereinabove authorized.

3. Upon compliance with all of the requirements of this order, sellers shall stand relieved of their public utility obligations and liabilities in connection with 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 30th day of JULY, 1963.

William A. Beaudin
President

Everett W. Brown

Ed. E. Hatcher

George H. Trover

Frederick B. Hallock
Commissioners