

Decision No. 65961**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of TILLYE MAY JOHNSON to
 transfer the JOHNSON PARK WATER WORKS
 to LOYOLA C. MATTHEWS.

Application No. 45555
 (Filed June 24, 1963)

OPINION AND ORDER

Applicant Tillye May Johnson seeks authority to transfer the ownership of her public utility water system known as Johnson Park Water Works to her daughter, Loyola C. Matthews.

Johnson Park Water Works serves about 132 customers in Johnson Park and Johnson Park Subdivision, 2½ miles northeast of the town of Burney, Shasta County. The undepreciated book value of the utility is \$10,983.50. C. C. Johnson, dba Johnson Park Water Works, was granted a certificate of public convenience and necessity by Decision No. 39558 dated October 22, 1946.

C. C. Johnson died on July 28, 1962. Tillye May Johnson acquired the right, title and interest to the property of the Johnson Park Water Works as the surviving joint tenant by a decree of the Superior Court of the State of California dated September 4, 1962, a copy of which is attached to the application as Exhibit A. The transfer of ownership has not previously been authorized by the Public Utilities Commission.

Tillye May Johnson desires to transfer the property of Johnson Park Water Works to Loyola C. Matthews by way of a gift. The application alleges that Loyola C. Matthews has been in complete charge, control and management of this utility for the past five years, and prior thereto.

The Commission finds that the proposed transfer is not adverse to the public interest. It concludes therefore that the application should be granted. The action taken herein shall not be

construed to be a finding of the value of the properties authorized to be transferred.

The certificate hereinafter authorized to be transferred 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.

A public hearing is not necessary.

IT IS ORDERED that:

1. The transfer of the public utility water system known as Johnson Park Water Works to Tillye May Johnson as surviving joint tenant of C. C. Johnson, her husband, in accordance with the decree of the Superior Court, County of Shasta, dated September 4, 1962, a copy of which is attached to the application as Exhibit A, is hereby authorized.

2. Tillye May Johnson, after the effective date hereof, and on or before November 1, 1963, may transfer the water system known as Johnson Park Water Works to Loyola C. Matthews in accordance with the terms set forth in the application herein.

3. On or before the date of actual transfer, Tillye May Johnson shall refund all customers' deposits and advances for construction, if any, which are subject to refund, held by her. Within ten days thereafter, Tillye May Johnson shall advise this Commission, in writing, that such refunds have been made. All unrefunded deposits and advances shall be transferred to and become the responsibility for refund of Loyola C. Matthews.

4. Within thirty days after the date of actual transfer, Loyola C. Matthews shall file with this Commission a notice of adoption of seller's present tariff schedules.

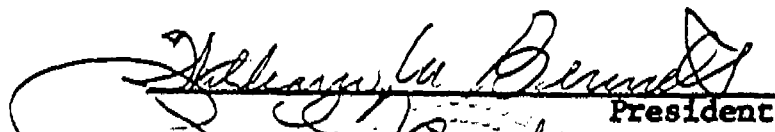
5. Within ninety days after the date of actual transfer, Loyola C. Matthews shall file revised rules governing service to customers, tariff service area maps, and a copy of printed forms normally used in connection with customers' services. Such filing shall be in conformity with General Order No. 96-A, and the new and revised sheets, if acceptable to this Commission, shall become effective upon the fifth day after having been filed.


6. On or before the date of transfer, Tillye May Johnson shall transfer and deliver to Loyola C. Matthews, and the latter shall receive and preserve, all records, memoranda and papers pertaining to the construction and operation of Johnson Park Water Works. Within ten days thereafter, applicants shall jointly advise this Commission, in writing, that they have complied with this requirement.

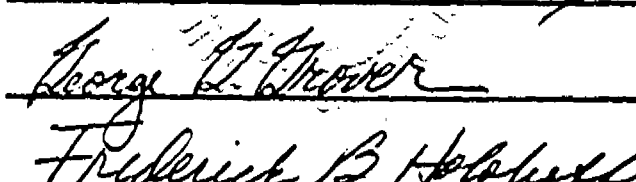
7. Within thirty days after the consummation of the transfer herein authorized, Tillye May Johnson shall notify the Commission, in writing, of the date thereof.

8. Upon compliance with all the conditions of this order, Tillye May Johnson shall stand relieved of all further public utility obligations in connection with the operations of the public utility water system herein authorized to be transferred.

The effective date of this order shall be the date hereof,
Dated at San Francisco, California, this 10th
day of SEPTEMBER, 1963.



President


George D. Grover


Frederick B. Holshoff
Commissioners