

**ORIGINAL**Decision No. 66056

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
 CONEJO VALLEY WATER COMPANY for )  
 authorization to sell a portion of )  
 its public utility system and to be )  
 relieved of its public utility )  
 obligations within the territory )  
 served by such portion. }

Application No. 45781  
 (Filed September 17, 1963)

OPINION AND ORDER

By this application, Conejo Valley Water Company (seller), a corporation, seeks authority to transfer a portion of its utility properties to Ventura County Waterworks District No. 6 (purchaser), and to discontinue service within Tract No. 1244-1, Ventura County. Purchaser joins in the application.

Decision No. 62474, dated August 23, 1961, in Application No. 43124, granted seller a certificate of public convenience and necessity to construct a water system to serve the 114-lot Tract No. 1244-1 and other areas, in the vicinity of Thousand Oaks, but the certificate was not to become effective until certain conditions specified in the order had been met. As stated in Decision No. 62474, Ventura County Waterworks District No. 6 protested the granting of authority for Conejo Valley Water Company to serve Tract No. 1244-1 but, at that time, the tract was outside the district's boundaries.

The effective date of Decision No. 62474 was stayed on September 11, 1961, by Decision No. 62537. This stay was maintained with respect to Tract No. 1244-1 on September 25, 1961, by Decision No. 62608. An order granting rehearing of Application No. 43124 was

issued December 5, 1961, for the purpose of determining applicant's ability to serve adequate supplies of potable water. Pending the resolution of that issue, applicant was authorized by Decision No. 63254, dated February 13, 1962, to render temporary emergency service to Tract No. 1244-1. Similar authority was granted by Decision No. 64183, dated August 31, 1962, permitting temporary emergency service to the Meadows School site, adjacent to Tract No. 1244-1. After the rehearing, interim Decision No. 64763, dated January 8, 1963, reaffirmed the temporary emergency nature of water service to the tract and school.

The tract and school site are now within the boundaries of purchaser, which has indicated to seller that it intends to acquire the in-tract facilities in Tract No. 1244-1, either by purchase or by condemnation. On August 16, 1963, purchaser and seller entered into a contract providing for such purchase and the temporary use by purchaser of certain transmission and storage facilities outside of the tract boundaries. The agreed purchase price is \$61,000, of which \$41,000, the approximate book value of the properties, is to be paid on or before July 31, 1964, and the balance on or before July 31, 1965. Provision is made for a \$2,000 reduction in price if paid in full on or before July 31, 1964, or an \$8,000 reduction if paid in full on or before December 31, 1963. Seller alleges that there are no advances for construction to be either paid by it or transferred to purchaser.

Upon transfer of the facilities, they will be disconnected from the rest of seller's system and connected to that of buyer. Although the Meadows School site is outside of Tract No. 1244-1, the record in Application No. 43124, incorporated herein by reference, shows that the point of delivery to the school is within the tract.

The Commission finds that the proposed transfer is not adverse to the public interest and concludes that it should be authorized. The action taken herein, however, does not constitute a finding of the value of the properties authorized to be transferred. A public hearing is not necessary.

IT IS ORDERED that:

1. On or after the effective date hereof, Conejo Valley Water Company, seller, may transfer and sell to Ventura County Waterworks District No. 6, purchaser, the portion of its public utility water system located within Tract No. 1244-1, Ventura County, in accordance with the terms and conditions of the agreement, Exhibit "D" attached to the application herein.

2. On or before the date of actual transfer, seller shall refund all customer's deposits for the establishment of credit, if any, which are subject to refund.

3. Within ten days after the date of actual transfer, seller shall submit written notification to this Commission of the refunding of deposits required herein, the date of transfer, and the date upon which purchaser shall have assumed operation of the water system herein authorized to be transferred. A true copy of the instrument or instruments of transfer shall be attached to the written notification.

4. Upon compliance with the above conditions of this order, seller shall stand relieved of its public utility obligation to provide temporary emergency service to Tract No. 1244-1, Ventura

County, and the adjacent Meadows School site, and may discontinue service thereto concurrently with the commencement of service by buyer.

The effective date of this order shall be twenty days after the date hereof.

Dated at San Francisco, California, this 24th day of September, 1963.

William L. Bernard  
President

Ed E. Mitchell

Carroll W. Page

George H. Thayer

Frederick B. Holslopp  
Commissioners