

ORIGINAL

Decision No. 68444

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of T. H. MUGFORD and)
 FRED W. LINKS, co-partners,)
 doing business as LINKFORD WATER)
 COMPANY, to transfer and JOSEPH)
 N. BORROUGHS, JR., WILLIAM F.)
 SHARON, CAROL B. SHARON, and)
 FRED W. LINKS, to purchase the)
 water system, Carnelian Way,)
 Lake Tahoe.)

Application No. 47087
(Filed November 4, 1964)

O P I N I O N

This is an application for an order authorizing T. H. Mugford and Fred W. Links, a copartnership doing business as Linkford Water Company, to sell and transfer their water system to Joseph N. Borroughs, Jr., William F. Sharon, Carol B. Sharon, and Fred W. Links.

The transferors are engaged in the operation of a public utility water system pursuant to authority granted by Decision No. 29294, dated November 23, 1936, in Application No. 20673. They provide service to approximately ten customers in 12 acres of land adjacent to the Carnelian Bay Post Office at Lake Tahoe. The application shows that T. H. Mugford desires to sell his copartnership interest in the water company as he is selling all of his property rights in the Lake Tahoe area. The application also shows that Fred W. Links has no objection to the proposed sale and that he intends to remain a copartner with the purchasers of T. H. Mugford's interest. The agreed purchase price is \$350. As of December 31, 1963, net plant amounted to \$1,199.58. The new partners propose to adopt the rates now on file with the Commission.

After consideration, the Commission finds that the proposed sale will not be adverse to the public interest and that a public hearing is not necessary. We conclude that the application should be granted as set forth in the order to follow.

In issuing our order herein, we place the copartners on notice that the action taken herein is for authorization of said sale and is not to be considered as indicative of amounts to be included in proceedings for the purpose of determining just and reasonable rates.

O R D E R

IT IS ORDERED that:

1. Within one year after the effective date hereof, T. H. Mugford and Fred W. Links, a copartnership doing business as Linkford Water Company (sellers), may transfer and sell and Joseph N. Borroughs, Jr., William F. Sharon, Carol B. Sharon, and Fred W. Links (purchasers) may purchase and acquire, all of the right, title, and interest of sellers in and to the operating right and properties referred to in the application herein.

2. After the effective date of this order, and not less than five days before the date of actual transfer, purchasers shall file a notice of adoption of sellers' tariffs. Such filing shall comply with General Order No. 96-A. The notice of adoption shall become effective on the date of actual transfer.

3. On or before the date of actual transfer, sellers shall refund all customers' deposits and advances for construction, if any, which are due and payable as of the date of transfer. All

unrefunded deposits and advances shall be transferred to purchasers, who shall be responsible for their refund when due.

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

5. Within five days after the date of actual transfer, sellers and purchasers jointly shall file in this proceeding a written statement, showing:

- (a) The date of transfer. A true copy of the instrument of transfer shall be attached to the statement.
- (b) The dates of compliance with the foregoing paragraphs 3 and 4.

6. Within sixty days after the date of actual transfer, purchasers shall file appropriate revised up-to-date rules and a tariff service area map. Such filing shall comply with General Order No. 96-A and the revised tariff sheets shall become effective on the fourth day after the date of filing.

7. On or before the end of the third month after the consummation of the transfer as herein authorized, purchasers shall cause to be filed with the Commission, in such form as it may prescribe, an annual report covering the period commencing with the first day of the current year to and including the effective date of the transfer.

8. Upon compliance with all of the conditions of this order, sellers shall stand relieved of their public utility obligations in

the area served by the transferred system and may discontinue service concurrently with the commencement of service by purchasers.

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

Dated at San Francisco, California, this 12th day of January, 1965.

Frederick B. Hallock
President

John L. Mitchell

George L. Grover

William L. Bennett
Commissioners