

ORIGINAL

Decision No. 68900

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
)
 of)
)
 MARTEA A. PILZ to transfer the)
 Valley Center Water Company to)
 WILLIAM W. STONE, and FRANK W.)
 RAMIREZ.)
 _____)

Application No. 47435
Filed March 25, 1965

O P I N I O N

This is an application for an order of the Commission authorizing Martha A. Pilz, widow of Walter E. Pilz, to convey to William W. Stone and Frank W. Ramirez the water system known as Valley Center Water Company.

By Decision No. 44714, dated August 29, 1950, in Application No. 31310, the Commission granted to Walter E. Pilz a certificate of public convenience and necessity authorizing him to operate a public utility water system for the production, distribution and sale of water within a certain area comprising some ninety acres of unsubdivided land located approximately nine miles north of Escondido and near the unincorporated community of Valley Center in San Diego County.

The 1953 annual report to this Commission relating to Valley Center Water Company shows that Walter E. Pilz died on November 8, 1953, and that Martha A. Pilz is the survivor

of the joint tenancy. Annual reports commencing with the year 1956 indicate that the water system involved in this proceeding has not operated subsequent to January 1, 1956.

Applicants state that Martha A. Pilz has sold the acreage appurtenant to the water system to William W. Stone and Frank W. Ramirez, that there is no way of separating the water facility from the acreage, and that said facility must be part of the sale of the realty. The application shows that the water system consists of a well, a pump, a 7-1/2 hp electric motor, an automatic timer, lines to a storage tank, a storage tank constructed of concrete and steel with a capacity of 20,000 gallons, and approximately 500 feet of 2-inch welded pipe.

It appears that applicants transact no business subject to regulation by this Commission within the meaning of Section 853 of the Public Utilities Code. However, the purchasers desire to adopt the rates and rules pertaining to the water system so that such system may resume serving the public in the event that it would be appropriate to do so at some time in the future.

The Commission has considered this matter and finds that the disposition of the water system as proposed in this proceeding would not be adverse to the public interest. On the basis of this finding we conclude that the application should be granted. A public hearing is not necessary. The

action taken herein shall not be construed to be a finding of the value of the properties authorized to be transferred, nor as a finding that this matter is subject to the provisions of Section 851 of the Public Utilities Code.

O R D E R

IT IS ORDERED that:

1. Martha A. Pilz, widow of Walter E. Pilz, may transfer, sell, assign and otherwise convey to William W. Stone and Frank W. Ramirez, the certificate of public convenience and necessity, together with the related assets, pertaining to the water system known as Valley Center Water Company.

2. Within thirty days after the date hereof, Martha A. Pilz shall transfer and deliver to William W. Stone and Frank W. Ramirez all records, memoranda and paper pertaining to the construction and operation of the properties herein authorized to be transferred, and the transferees shall receive and preserve the same.

3. William W. Stone and Frank W. Ramirez shall file within thirty days after the date hereof, a notice of adoption of the presently filed rates and rules of the transferor in accordance with the procedure prescribed by General Order No. 96-A. No increases in presently filed rates shall be made unless authorized by this Commission.

4. The effective date of this order is the date hereof.

Dated at San Francisco, California, this 26th day of APRIL, 1965.

Fredrick B. Holbeck
President

John J. ...

George H. ...

Augusta

William B. ...
Commissioners