

ORIGINAL

Decision No. 70264

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of RANCHO RAMON WATER CO.,
 a corporation, and the YUCCA VALLEY
 COUNTY WATER DISTRICT for permission
 to sell the physical assets of the
 RANCHO RAMON WATER CO. to the YUCCA
 VALLEY COUNTY WATER DISTRICT.

Application No. 47990
 (Filed October 21, 1965;
 Amended November 15, 1965)

FIRST SUPPLEMENTAL OPINION AND ORDER

On January 11, 1966, the Commission issued Decision No. 70235 herein, authorizing the transfer by Rancho Ramon Water Co. (Rancho) to Yucca Valley County Water District (Yucca) of the public utility water system properties described in the agreement between Rancho and Yucca, dated June 8, 1965, which is Exhibit A attached to Application No. 47990. The decision imposed certain conditions to the transfer, among them a requirement that \$149,478.17 of the purchase price be placed in trust to guarantee payment of refunds due or to become due on certain of Rancho's main extension agreements.

On January 17, 1966, Rancho filed herein a copy of "Supplement to Irrevocable Depository Agreement" (hereby received as Exhibit 1 herein) and a verified "Statement of Receipts and Disbursements under Irrevocable Depository Agreement" (hereby received as Exhibit 2 herein), in support of its request that Decision No. 70235 approve said Supplement to Irrevocable Depository Agreement as sufficient guarantee for payment of said refunds.

The Commission has reviewed Exhibits 1 and 2, in addition to the material already on file herein, and hereby finds that said Supplement to Irrevocable Depository Agreement provides adequate assurance that said refunds will be paid when due. Decision No. 70235 will be amended accordingly.

IT IS ORDERED that Decision No. 70235 is hereby amended as follows:

1. The first sentence of finding No. 1 is amended to read as follows:

"1. Subject to the conditions contained in the order herein, as amended, the proposed transfer will not be adverse to the public interest."

2. Finding No. 2 is amended to read as follows:

"2. The payments to be made to Rancho by Coachella Valley County Water District pursuant to the aforementioned judgment of \$1,969,176 will be both sufficient in amount and paid in time to meet Rancho's refund obligations on the outstanding balance of \$149,478.17 in refundable main extension advances involved herein."

3. Finding No. 3 is deleted.

4. Subparagraph (a) of paragraph 2 of the Order is amended to read as follows:

"(a) Within thirty days after the date of transfer of the properties Rancho Ramon Water Co. shall refund all customers' deposits."

5. Subparagraph (b) of paragraph 2 of the Order is amended to read as follows:

"(b) The Supplement to Irrevocable Depository Agreement (Exhibit 1 herein) is hereby approved and authorized, and Rancho is directed to comply therewith."

6. Subparagraph (c) of paragraph 2 of the Order is deleted.

7. Paragraph 3 of the Order is amended to read as follows:

"3. The authority herein granted shall not become effective unless within sixty days after the effective date of this order Rancho shall have filed in writing

with the Commission acceptance of the authority and the conditions set forth in paragraph 2 hereof, nor unless within said time Yucca shall have filed in writing with the Commission acceptance of the authority and the conditions set forth in sub-paragraphs (d) through (g) of paragraph 2 hereof; and, in any event, the authority granted herein shall expire if not exercised by December 31, 1966."

8. Paragraph 4 of the Order is deleted.

The effective date of this First Supplemental Opinion and Order is the date hereof.

Dated at San Francisco, California, this 18th day of January, 1966.

Frederick B. Hallock
President

George T. Grover

Augusta

William B. Bennett
Commissioners