

ORIGINAL

Decision No. 73460

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of TUSTIN WATER WORKS,)
a corporation, for authority to)
release or abandon a part of its)
certified area and for approval of)
sale of certain of its property.)

Application No. 49725
(Filed October 13, 1967)

O P I N I O N

Tustin Water Works requests authority (Public Utilities Code, Section 851) to release some 55 services in a portion of its certificated Santa Ana area now annexed, except for a few small parcels, to the city, and to sell to the city its lines, meters and services within the released area for the sum of \$29,076.39 (Application, Exhibit C).

The release and sale are alleged to be in the best interest of applicant and the public because:

1. There are 55 services on 16,000 feet of main.
2. Some pipe and services are nearly fully depreciated.
3. The city has annexed the area and intends to serve all new connections.
4. The city has already paralleled some of applicant's smaller mains with 12-inch or larger mains.
5. There is no future potential for applicant in the area to be released.

Applicant alleges that the original cost of the property to be sold is \$17,990.87; accrued depreciation thereon is \$5,570.30 and the balance, representing the depreciated cost, is \$12,420.57.

Applicant has agreed to refund in full, within 90 days after completion of the release and sale, a balance of \$3,576.39 remaining for two refundable advances in aid of construction.

Applicant states that it does not hold any unrefunded consumers' deposits for the area proposed to be released.

The Commission finds that the proposed release of services and sale of property by Tustin Water Works, a corporation, to the City of Santa Ana, to be accomplished substantially in accordance with the terms and conditions of an agreement by the parties, dated July 19, 1967 (Application, Exhibit C), are not adverse to the public interest.

We conclude that said agreement should be authorized as provided by the ensuing order.

The authorization herein granted shall not be construed as a finding of the value of the rights and properties herein authorized to be transferred. A public hearing is not necessary.

O R D E R

IT IS ORDERED that:

1. Applicant, Tustin Water Works, is authorized to carry out the terms and conditions of an agreement with the City of Santa Ana (Application, Exhibit C) for release of certain services and sale of certain property as described in said agreement.

2. Within ninety days after the date of the actual transfer of services and property, as herein authorized, applicant shall refund the balances, in full, on the following refundable contracts for advances in aid of construction:

1. J. H. Lippiat, et al.	\$ 711.65
2. Brattain Construction Co.	<u>2,864.74</u>
Total	\$ 3,576.39

3. Applicant, within thirty days after the date of actual transfer of services and properties herein authorized, shall file with the Commission two copies of the instrument of transfer, as

executed, together with copies of journal entries used to record such transfer in its books of account, and shall also, during such thirty-day period, file appropriate amendments to its tariff schedules, including a revised tariff service area map, in accordance with applicable provisions of General Order No. 96-A.

4. Upon completion of the sale and transfer authorized herein and upon compliance with all the terms and conditions of this order, Tustin Water Works, a corporation, shall be relieved of its public utility obligations in connection with the services and properties herein authorized to be transferred.

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

Dated at San Francisco, California, this 12th day of DECEMBER, 1967.

[Signature]
President

[Signature]

[Signature]

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Commissioners