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Decision No. 74531

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Luis S. King, as a co-
owner doing business as the ALPINE
VILLAGE WATER COMPANY, to sell and
F. Donald Burke, as a co-owner, to
purchase Luis S. King's interest in
the Utility.

Application No. 50340
(Filed June 24, 1968)

O P I N I O N

Luis S. King (seller), co-owner with Charles W. Roberts and Johnny P. Roberts, doing business as the Alpine Village Water Company, requests authorization to sell his interest in the water system known as the Alpine Village Water Company to F. Donald Burke, buyer.

The water system serves approximately six flat-rate, residential customers in approximately 33 acres of land in Tract 417 of Tulare County near Camp Nelson, California.

A certificate of public convenience and necessity to operate this system was granted to Charles W. Roberts, Luis S. King, and Johnny P. Roberts by Decision No. 67963, dated October 6, 1964, in Application No. 46502. The 1967 Annual Report to this Commission, hereby incorporated as a part of this record by reference, lists buyer as a co-owner but does not list seller.

The application states that the agreement of sale and purchase was oral and the agreed price was at the utility's book value to be paid in cash, as a part of a sale of other interests in properties in and adjacent to Tulare Tracts 417 and 475, and that the continuing co-owners have no objection to this sale and purchase.

The reason given as justifying this sale and purchase is that Luis S. King is selling all of his property rights in and adjacent to Tulare County Tracts 417 and 475.

The utility's Annual Report shows as of the end of 1967 utility plant in service in the amount of \$13,573.90, a reserve for depreciation of utility plant of \$1,313.05, and no customer deposits, advances for construction or contributions in aid of construction.

We find that:

1. Buyer has the ability to acquire the co-ownership right, title and interest in the utility without interruption in service.
2. Upon the consummation of the proposed transfer, seller will no longer be performing public utility service.
3. Subject to the conditions set forth in the order which follows, the proposed sale and transfer will not be adverse to the public interest.
4. A public hearing is not necessary.

We conclude that the application should be granted as provided in the following order.

The action taken herein shall not be construed as a finding of the value of public utility operating rights and other public utility property herein authorized to be transferred.

O R D E R

IT IS ORDERED that:

1. Within one hundred and twenty days after the effective date of this order, Luis S. King may sell and transfer his partnership interest in a public utility water system, doing business under the name of Alpine Village Water Company, to F. Donald Burke.

2. Within thirty days of the actual transfer of said partnership interest, F. Donald Burke shall notify this Commission, in writing, of the date upon which the transfer was consummated.

3. Within thirty days of the actual transfer of said partnership interest, F. Donald Burke, Charles W. Roberts and Johnny P. Roberts shall file with this Commission a notice that they have adopted the present tariff schedules of Alpine Village Water Company.

4. Upon completion of the sale and transfer herein authorized Luis S. King shall stand relieved of his public utility obligations and liabilities in connection with Alpine Village Water Company and F. Donald Burke shall assume them.

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

Dated at San Francisco, California, this 13th
day of AUGUST, 1968.

William J. Bennett
President
E. P. Morrissey
Augusta
Commissioners

Commissioner William M. Bennett, being necessarily absent, did not participate in the disposition of this proceeding.

Commissioner Fred P. Morrissey, being necessarily absent, did not participate in the disposition of this proceeding.