Decision No. __76903__

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Earl January doing business as January Water Company to sell and Mauricio V. Orozco and Juanita M. Orozco to buy the water system in Tulare County.)))))))	Application No. 51573 (Filed December 22, 1969)

O P I N I O N

Earl January, doing business as January Water Company (seller), and Mauricio V. Orozco and Juanita M. Orozco (buyers) request authority for seller to transfer his water system to buyers and for seller to be relieved of his public utility obligation.

Seller is presently a public utility in the business of supplying water for domestic purposes at flat rates to eight customers in an area described as Tract 281, adjacent to Road 140, five miles east of Tulare, Tulare County. The original cost of the property is alleged to be $2,195.75. The sale of the utility is being included in the sale of other property of seller at an agreed utility sale price of $2,000. It appears that seller is disposing of his business and is retiring.

We find that:

1. Buyers have the ability to acquire and operate seller's water system without interruption in service, having a net worth of $42,000.

2. Seller and buyers warrant that there are no customer deposits or main extension advances.

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3. Upon the consummation of the proposed transfer seller will be no longer performing public utility service.

4. Subject to the conditions set forth in the order which follows, the proposed sale and transfer will not be adverse to the public interest.

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

O R D E R

IT IS ORDERED that:

1. Within one year after the effective date of this order, Earl January, doing business as January Water Company, may sell and transfer to Mauricio V. Orozco and Juanita M. Orozco the properties referred to herein, substantially in accordance with the terms of the agreement to sell attached to the application herein and designated as Exhibit A, but subject to the conditions of this order.

2. Within ten days after the date of actual transfer, seller shall file in this proceeding written notification of the refunding of all deposits and advances, if any, the date of transfer and the date upon which buyers shall have assumed the operation of the water system authorized herein to be transferred. A true copy of the instrument or instruments of transfer shall be attached to the written notification.

3. After the effective date of this order, and not less than five days before the date of actual transfer, buyers shall file new and revised tariff sheets, including a tariff service area map, to provide for the application of buyers' present rules and rates to seller's service area. Such filing shall comply with General Order No. 96-A. The effective date of the new and revised tariff sheets shall be the date of actual transfer.

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

5. Upon compliance with all conditions of this order, seller shall stand relieved of his public utility obligations in the area served by the transferred system and may discontinue service concurrently with the rendering of service by buyers.

6. On or before the end of the third month after the date of actual transfer, buyers shall cause to be filed with the Commission, in such form as the Commission may prescribe, an annual report covering the period from the first day of the current year to and including the effective date of the transfer.

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

Dated at _____San Francisco_____, California, this _10th_ day of _____MARCH_____, 1970.

William Symons Jr.
President

Commissioners