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Decision No. 79212

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of LAYTONVILLE WATER COMPANY  
to sell utility property and rights to  
Laytonville County Water District.

Application No. 52715  
(Filed June 29, 1971)

O P I N I O N

By its application, as amended, Laytonville Water Company, a corporation, presently operating a public utility water system in and near the unincorporated town of Laytonville in the County of Mendocino, requests authority to sell its system to the Laytonville County Water District.

The agreed consideration is \$34,558 plus adjustments for bank accounts and property acquired subsequent to the date of the agreement. According to the application, Laytonville Water Company has no customer deposits, and there have been no main extension advances requiring refunds.

The Laytonville County Water District is a county water district organized under the California County Water District Law.

At the present time, Laytonville Water Company has a contract with the Bureau of Indian Affairs to furnish water to Laytonville Rancheria situated to the west of Laytonville. By a resolution passed on July 22, 1971, the Laytonville County Water District indicated its intent to continue water service to Laytonville Rancheria in accordance with the terms of the contract indefinitely in the future, and to, in all respects, treat the inhabitants of Laytonville Rancheria on a nondiscriminatory basis with water users within Laytonville County Water District.

After consideration the Commission finds that the proposed transfer would not be adverse to the public interest and, upon consummation of the transfer, that public convenience and necessity would no longer require applicant seller to serve within the area herein considered. A public hearing is not necessary.

O R D E R

IT IS ORDERED that:

1. On or before May 1, 1972, Laytonville Water Company may sell and transfer to the Laytonville County Water District the water system herein referred to according to the terms and conditions of the agreement attached to the application as amended, upon the condition that water service is provided to the inhabitants of Laytonville Rancheria on a nondiscriminatory basis with water users within the Laytonville County Water District.

2. Within thirty days after the consummation of the transfer authorized by ordering paragraph 1 hereof, Laytonville Water Company shall notify the Commission, in writing, of that fact and within said period shall file with the Commission a true copy of any bill of sale or other instrument of transfer which may be executed to effect said transfer.

3. On or before the date of actual transfer, seller shall return to customers any refundable deposits made to establish credit, if any.

4. Upon compliance with the conditions of this order, Laytonville Water Company shall stand relieved of its public utility obligations and may discontinue service concurrently with the commencement of service by the Laytonville County Water District.

The effective date of this order shall be the date hereof.

Dated at San Francisco, California, this 5th day of OCTOBER, 1971.

[Signature]  
Chairman  
[Signature]  
[Signature]  
Commissioners

Commissioner Thomas Moran, being necessarily absent, did not participate in the disposition of this proceeding.