

Decision No. 80029

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the joint application)  
of MASON, CONRAD, SNOW, TRUSTEE and )  
WEST KERN COUNTY WATER DISTRICT for an )  
order approving and authorizing MASON, )  
CONRAD, SNOW, TRUSTEE to transfer all )  
of its property to WEST KERN COUNTY )  
WATER DISTRICT in accordance with the )  
agreement of transfer, and to dis- )  
continue its public utility service. }

Application No. 53246  
(Filed April 3, 1972)

O P I N I O N

By this joint application, Mason Conrad Snow, Trustee (hereinafter trustee), seeks authority to transfer a public utility water system to West Kern County Water District (hereinafter district).

Trustee, as successor to the interest of Commercial Land Company<sup>1/</sup> is an operating public utility trust organized and existing under the laws of the State of California, and is engaged in the public utility water business in the unincorporated area of Tupman and adjoining fringe territory, all in the County of Kern.

West Kern County Water District is a county water district organized under Division 12 of the Water Code of the State of California.

District agrees that should the authorization requested herein be granted, district will assume, concurrently with the transfer of title, all public utility obligations of trustee within the existing service area of trustee.

The entire service area of trustee is included within the territorial boundaries of district. Trustee purchases water from

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<sup>1/</sup> Sale to trustee authorized by Decision No. 78428, dated March 16, 1971, in Application No. 52388.

Getty Oil Company under a contract with Getty Oil Company. Trustee has no other supply of water available to it. Water served by trustee is metered and water will be made available to district by Getty Oil Company after takeover until such time as district can deliver its own source of water.

On July 21, 1971 trustee and district executed a formal agreement in which trustee agreed to transfer all of its property to district. A copy of this agreement with its schedules is attached to the application as Exhibit F. Pursuant to the terms of said agreement, trustee proposes to transfer all of its property to district. Under the agreement, district will assume the obligation to pay certain indebtedness of trustee and undertake to bring water from its system into the water system to be transferred to district within six months after the transfer.

Trustee and district allege that this agreement is in the public interest. District has a better quality of water than trustee is purchasing from Getty Oil Company. Customers of trustee will have a firm supply of water from district. District is presently serving more than 5,500 customers and has assets in excess of \$6,000,000, and is easily capable of furnishing water to all of the customers of trustee within its service area.

The Commission has considered this matter and finds that the sale and transfer of the property as proposed in this proceeding would not be adverse to the public interest. On the basis of this finding, we conclude that the application should be granted. A public hearing is not necessary.

The action taken herein shall not be construed as a finding of the value of the property authorized to be transferred.

O R D E R

IT IS ORDERED that:

1. Mason Conrad Snow, Trustee (trustee), may sell and transfer to the West Kern County Water District (district) the property referred to in this proceeding in accordance with the agreement attached to the application as Exhibit F.

2. On or before the date of actual transfer, trustee shall return to its customers any refundable deposits made to establish credit.

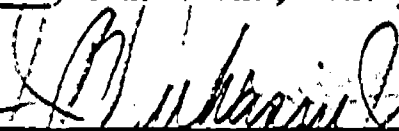
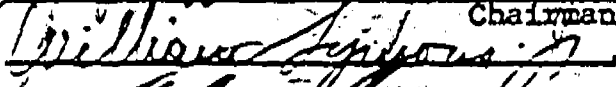
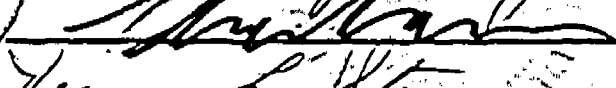

3. District shall assume trustee's obligations incurred with respect to any water main extension agreements existing on the closing date of the agreement (supra).

4. Within ten days after the date of actual transfer, trustee shall file written notification to this Commission of the refunding of deposits, the date of transfer, and the date upon which district shall have assumed operation of the water system authorized herein to be transferred. A true copy of the instrument of transfer shall be attached to the written notification.

5. Upon compliance with the conditions of this order, trustee shall stand relieved of all public utility obligations in the areas served by the transferred system, and may discontinue service concurrently with the commencement of service by district.

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

Dated at San Francisco, California, this 9<sup>th</sup> day of MAY, 1972.

  
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Chairman  
  
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Commissioners