

Decision No. 86199

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

The Application of Chalfont Communications,  
a California Corporation, for Authority  
to Sell Public Utility Assets; and of  
Hendrix Electronics, Inc., a California  
Corporation, dba Cal-Comm Radio Telephone  
Service, for Authority to Acquire Control  
of a California Radiotelephone Utility.

Application No. 56464  
(filed May 5, 1976)

O P I N I O N

Chalfont Communications (Chalfont) is a California corporation which is a duly authorized California Radiotelephone Utility providing Domestic Public Land Mobile Radio Service in a number of California locations pursuant to authority granted to it by this Commission, in Decision No. 62156, the so-called "RTU Grandfather Decision". One of these localities is El Centro, Imperial County, California, and vicinity.

Hendrix Electronics, Inc. (Hendrix) is a California corporation, dba Cal-Comm Radio Telephone Service, engaged in various aspects of electronics and electronic communications in and around El Centro, California.

Chalfont and Hendrix have entered into an agreement, subject to the approval of the California Public Utilities Commission and the Federal Communications Commission, for Chalfont to sell and Hendrix to buy and control the radiotelephone public utility assets of Chalfont which are dedicated to serve the public in and around El Centro, California. The Commission staff made a study and field investigation as set forth in a report dated June 21, 1976, which is hereby received as Exhibit No. 1.

Findings and Conclusions

On the basis of the staff investigation, Exhibit 1, and after due consideration the Commission finds that control by Hendrix, of that part of Chalfont Communications radiotelephone utility which serves El Centro, California, and vicinity, would not be adverse to the public interest and concludes that the application should be granted. A public hearing is not necessary. The authorization herein granted shall not be construed as a finding of value of that part of the capital stock in Chalfont Communications which represents the assets herein authorized to be transferred from Chalfont to Hendrix, nor is such authorization to be construed as indicative of amounts to be included in future rate base for the purpose of determining just and reasonable rates.

O R D E R

IT IS HEREBY ORDERED that:

1. Chalfont Communications, a California corporation, may, on or before December 31, 1976, sell and transfer to Hendrix Electronics, Inc., a California corporation, dba Cal-Comm Radio Telephone Service, the public utility assets of Chalfont dedicated to the rendition of radiotelephone service in and around El Centro, California, substantially in accordance with the terms and conditions set forth in Application No. 56464 and associated exhibits.
2. Hendrix Electronics, Inc. shall file, within thirty days from the date of actual transfer and in conformity with the provisions of General Order No. 96-A, tariffs containing the schedule of rates and charges of Chalfont Communications applicable to its radiotelephone service in and around El Centro, California, now on file with this Commission, under the name of "Cal-Comm Radio Telephone Service."
3. Chalfont Communications shall, within thirty days from the date of actual transfer, file a notice stating the effective date of the sale and transfer to Hendrix Electronics, Inc., of the public

utility assets herein described and shall file, within a like period of time, tariffs reflecting the relinquishment of control, by Chalfont, of the said public utility assets.

4. On or before the date of actual transfer, Chalfont Communications shall refund all customers' deposits and all advances for construction which are subject to refund. Any such unrefunded deposits and advances shall be transferred to and become the obligation for refund of Hendrix Electronics, Inc.


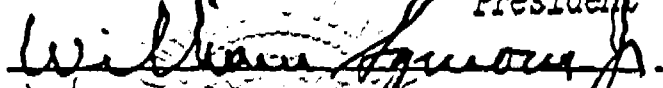


5. If the authority herein granted is exercised, Hendrix Electronics, Inc. shall, within thirty days thereafter, notify this Commission, in writing, of the date of such completion of the property transfer herein authorized and of its compliances with the conditions hereof.

6. On or before the date of actual transfer of the physical properties herein authorized, Chalfont Communications shall transfer and deliver to Hendrix Electronics, Inc., and the latter shall receive and preserve all records, memoranda and papers pertaining to the construction and operation of the subject public utility assets.

7. Upon due compliance with all the conditions of this order, Chalfont Communications shall stand relieved of all further public utility obligations and liabilities in connection with the operations of the public utility radiotelephone assets herein authorized to be transferred.

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 3rd  
day of AUGUST, 1976.

  
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President  
  
  
  
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Commissioners