

Decision 90 02 047 FEB 23 1990

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Neil Burckart doing
business as Cedar Ridge Water
Company to sell and Tuolumne
Regional Water District to buy the
water system in Tuolumne County.
(U324 W)

ORIGINAL
Application 89-04-056
(Petition for Modification
filed September 29, 1989)

ORDER MODIFYING DECISION

Applicants have filed a petition seeking modification of Decision (D.) 89-09-027 dated September 7, 1989. The verified petition alleges that the original application indicated that the subject utility properties were owned by Neil Burckart (Burckart) whereas they were in fact owned by Cedar Ridge Water Company, a corporation (Company), of which Burckart is the sole shareholder. D.89-09-027 was based on the allegations in the application and granted Burckart rather than Company the authority to transfer the subject utility properties. The petition seeks to have D.89-09-027 modified to permit Company to make the requested transfer.

The Commission finds and concludes that good cause has been shown and the requested modification should be granted.

IT IS ORDERED that:

1. Finding of Fact 1 of D.89-09-027 is deleted and in its place is substituted the following finding:

1. Company is a California corporation which owns and operates a public utility water system as defined in Public Utilities (PU) Code §§ 216 and 240. Company was granted its certificate of public convenience and necessity in D.62389 in A.43004, dated August 8, 1961.

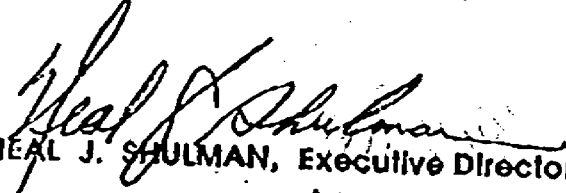
2. Ordering Paragraphs 1, 2, and 5 of D.89-09-027 are deleted and in their place are substituted the following:

1. On or after the effective date of this order, Cedar Ridge Water Company, a corporation, (Company) may sell and transfer the assets of its public utility water system to Tuolumne Regional Water District (District) in accordance with the terms of the application.
 2. Within 30 days of the sale and transfer hereby authorized, Company shall notify the Commission in writing of that fact.
 5. Upon compliance with all of the conditions of this order, including the payment of the fee provided in PU Code § 411 for year 1989, and such other period as may occur until the sale and transfer are consummated, Company shall stand relieved of its public utility obligations and may discontinue service concurrent with the commencement of service by District as contemplated in the agreement between the parties.
 3. In all other respects, D.89-09-027 shall remain in full force and effect.
- This order is effective today.
Dated FEB 23 1990, at San Francisco, California.

G. MITCHELL WILK
President
FREDERICK R. DUDA
STANLEY W. HULETT
JOHN B. CHANAN
PATRICIA M. ECKERT
Commissioners

I CERTIFY THAT THIS DECISION
WAS APPROVED BY THE ABOVE
COMMISSIONERS TODAY

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NEAL J. SHULMAN, Executive Director
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