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Decision 90-12-110 December 27, 1990

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
Jensen Water Company for authority
to change its ownership.

Application 89-06-024
(Filed June 16, 1989)

FINAL OPINION

This is an application in which L. Dee Tallent (Tallent) seeks authority to transfer control of Jensen Water Company (Jensen) and certain utility property to Ralph W. Sandberg and Florence A. Sandberg (Sandbergs).

In Interim Decision (D.) 90-10-008, dated October 12, 1990, the Commission authorized the proposed transfer of control subject to certain conditions precedent. Ordering Paragraph 1 of D.90-10-008 provides that:

"1. Ralph W. Sandberg and Florence A. Sandberg (Sandbergs) may acquire control of Jensen Water Company (Jensen) and certain utility property through the purchase of shares and property from L. Dee Tallent (Tallent) in accordance with the terms of the application, subject to the following express conditions:

"a. Within 60 days after the effective date of this order, applicants shall file with the Commission a statement acknowledging that the spring water source, one-million gallon storage tank, and associated facilities are dedicated to the public use.

"b. Within 6 months after the effective date of this order, applicants shall file an appropriate description, acceptable to the Commission's Water Utilities Branch, of Jensen's plant or system which includes the spring water source, one-million gallon storage tank, and associated facilities.

This requirement may be satisfied by either of the following:

- "(1) The filing of a stipulation by applicants that all of the land, including riparian rights, described as the South 1/2 of Section 23, Township 3 South, Range 2 East, San Bernardino Base Line & Meridian is dedicated to the public use.
- "(2) A survey by a licensed land surveyor or registered civil engineer of all of Jensen's plant or system. The survey shall include the following:..."

Finding of Fact

On October 18, 1990, the Commission received the following stipulation, which was executed by all the applicants:

"We L. Dee Tallent, Ralph W. Sandberg and Florence A. Sandberg the undersigned, owners and directors of the Jensen Water Co. and owners of the South 1/2 of Section 23, Township 3 South, Range 2 East, San Bernardino Base Line & Meridian, Riverside County hereby dedicate said land including riparian rights to the public use by The Jensen Water Co."

Conclusions of Law

1. Since the spring water source, one million gallon tank, and associated facilities are located on the 1/2 section which is contained in the stipulation of October 18, 1990 (Finding of Fact 2 in D.90-10-008), the stipulation complies with the conditions precedent in Ordering Paragraphs 1.a and 1.b(1) of D.90-10-008.
2. Applicants should be authorized to complete the transfer of control as provided in D.90-10-008.
3. Since this matter involves compliance with a previous decision, the ensuring order should be made effective on the date of issuance.

FINAL ORDER

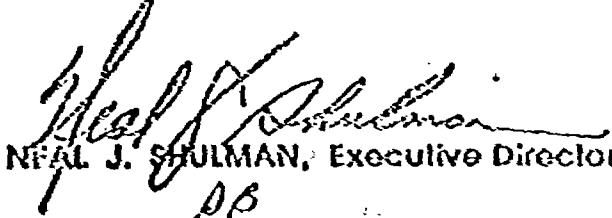
IT IS ORDERED that Ralph W. Sandberg and Florence A. Sandberg may acquire control of Jensen Water Company and certain utility property through the purchase of shares and property from L. Dee Tallent in accordance with the provisions of D.90-10-008, dated October 12, 1990.

This order is effective today.

Dated December 27, 1990, at San Francisco, California.

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

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


NEAL J. SHULMAN, Executive Director
PB