

ORIGINALDecision 83 11 014 NOV 2 - 1983

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Berryessa Water)	
Company, doing business as)	
Berryessa Water Company, to sell)	Application 83-09-50
and Spanish Flat Water District)	(Filed September 19, 1983)
to buy the water system in Napa,)	
Napa County.)	

O P I N I O N

This is an application in which Berryessa Water Company (Berryessa) seeks authority to sell and transfer its public utility water system to Spanish Flat Water District (District).

Notice of filing the application was served on all Berryessa customers. There are no protests. The Commission makes the following findings and conclusion.

Findings of Fact

1. A public hearing is not necessary in this matter.
2. Berryessa operates a public utility water system in Napa County pursuant to a certificate of public convenience and necessity granted by this Commission in Decision 82445 in Application 54576 entered on February 5, 1974. Berryessa has 49 service connections.
3. District is a public district organized under the laws of California.
4. Berryessa desires to sell its water system because it has been unable to increase its supply of water. The subdivision served by Berryessa is virtually without water at the present time.
5. As of August 1, 1983, the original cost of Berryessa's operating property, less depreciation, was \$34,623.
6. On June 22, 1983, Berryessa and District entered into an option to purchase agreement for the system. In accordance with the option, District seeks to purchase the system for \$34,623 in cash.

7. The water system is in need of modification and repair. It will cost approximately \$639,442 to bring it up to the standards of General Order 103. District proposes to do this work if the transfer is authorized. District will use revenue sharing funds and general obligation bonds to pay for the work. District has called for bids for construction which are due on November 22, 1983.

8. Berryessa has no customer deposits to establish credit.

9. District has agreed that if there are any main extension advances, it will pay the refunds as they become due.

10. The proposed transfer of the water system here involved is reasonable and not adverse to the public interest.

11. Because of the shortage of water and the due date for receiving bids for improving the water system, the effective date of this order should be the day of issuance.

Conclusion of Law

The application should be granted as hereafter provided.

O R D E R

IT IS ORDERED that:

1. On or before June 30, 1984, Berryessa Water Company may transfer the water system referred to in the application to Spanish Flat Water District, according to the terms in the application.

2. On or before the date of transfer, seller shall refund any customer credit deposits which are subject to refund.

3. Buyer shall assume any liability for refunds of main extension advances.

4. Within 10 days after transfer, seller shall write the Commission stating dates of transfer and deposit refunds, and date when buyer began operating the water system. A copy of the transfer documents shall be attached.

5. Upon compliance with this order, seller shall be relieved of its public utility obligation to the transferred system.

6. As a condition of this grant of authority buyer shall file with the Commission a stipulation that it will apply the same rates, rules, and conditions to customers outside of the district's boundaries as it applies to customers inside the boundaries, except as necessary to offset any tax or assessment on customers inside the boundaries which benefits other customers.

This order is effective today.

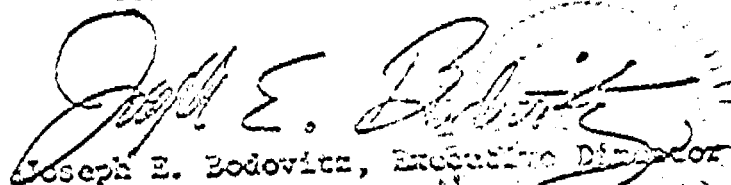
Dated NOV 2 1983, at San Francisco, California.

LEONARD M. GRIMES, JR.
President

VICTOR CALVO
PRISCILLA C. GREW
WILLIAM T. BAGLEY
Commissioners

Commissioner Donald Vial, being necessarily absent, did not participate.

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


Joseph E. Bodovitz, Executive Director