

ALJ/jn

ORIGINALDecision 84 01 044

JAN 19 1984

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
 BANK OF AMERICA NATIONAL TRUST AND
 SAVINGS ASSOCIATION, as Trustee Under
 the Joseph Shaw Trust, and DAVID and
 MARGOT WELLS for Approval of transfer
 of Control of RIVERSIDE WATER WORKS,
 INC.

Application 83-10-24
 (Filed October 14, 1983)

O P I N I O N

This is an application in which Bank of America National Trust and Savings Association as trustee under the Joseph Shaw Trust (Seller) and David and Margo Wells (Buyers) seek authority for Buyers to acquire control of Riverside Water Works, Inc. (Riverside).

Notice of the filing of the Application appeared in the Commission's Daily Calendar on October 20, 1983. 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. Seller owns all of the outstanding shares of Riverside.
3. Seller is located in Santa Rosa. It is difficult for Seller to give personal attention to the water system here involved. Distance also creates additional expenses.
4. David Wells, one of the Buyers, has been operating Riverside as a maintenance and construction person and is familiar with the operation of the system. Wells formerly was in charge of maintenance for the City of Rio Dell Water Works. He holds a Class 3 water treatment license.
5. Buyers had a net worth of \$527,412 as of October 1, 1983.

6. On September 7, 1983, Seller and Buyers entered into an agreement, subject to the approval of this Commission, whereby Seller would sell all the outstanding shares of Riverside to Buyers for \$2,500. The agreement is also subject to the approval of the Probate Court.

7. Buyers intend to operate the system at existing rates without seeking any increase at this time.

8. Buyers have the resources and experience to acquire and operate Riverside.

9. The proposed sale and transfer of stock is not adverse to the public interest.

10. To enable the matter to be presented expeditiously to the Probate Court for approval, the effective date of this order should be the date of issuance.

Conclusion of Law

The application should be granted.

O R D E R

IT IS ORDERED that:

1. On or after the effective date of this order Bank of America National Trust and Savings Association as Trustee under the Joseph Shaw Trust, may sell and transfer to David Wells and Margot Wells all of the capital stock of Riverside Water Works, Inc. in accordance with the agreement attached to the application as Exhibit A.

2. Within 30 days of the transfer of shares hereby authorized, Seller shall notify the Commission in writing of that fact.

3. The authority granted by this order shall expire on October 1, 1984, if it has not been exercised by that date.

4. Buyer is placed on notice that the number of shares outstanding, the total par (stated) value of the shares, and the dividends paid do not determine allowable return on plant investment. This authorization is not a finding of the value of the utility's stock or property, nor does it indicate the amounts to be included in ratesetting proceedings.

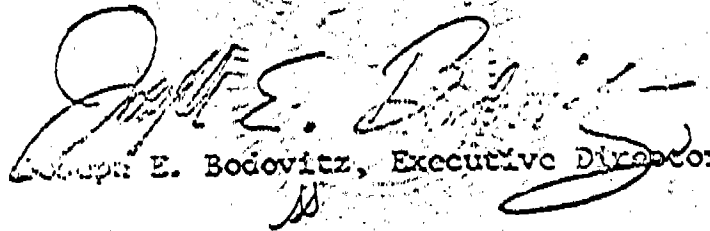
This order is effective today.

Dated January 19, 1984, at San Francisco, California.

LEONARD M. GRIMES, JR.
President

VICTOR CALVO
PRISCILLA C. GREW
DONALD VIAL
WILLIAM T. BAGLEY
Commissioners

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


Joseph E. Bodovitz, Executive Director

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2. Within 30 days of the transfer of shares hereby authorized, Seller shall notify the Commission in writing of that fact.

3. The authority granted by this order shall expire on October 1, 1984, if it has not been exercised by that date.

This order is effective today.

Dated JAN 19 1984, at San Francisco, California.

LEONARD M. GRIMES, JR.
President

VICTOR CALVO

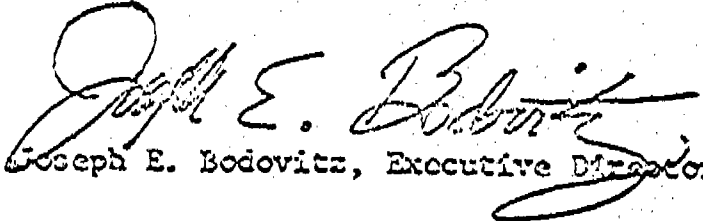
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Joseph E. Bodovitz, Executive Director