

Decision No. 86772

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of C. Wesley Bird and Jennie C. Bird doing business as WESMILTON WATER SYSTEM and ANOOSH-VAN WATER SYSTEM, for an order authorizing the sale and transfer to JAMES H. KITCHEN and BERNICE K. KITCHEN of the water distribution systems and certificates of public convenience and necessity.

Application No. 56436
(Filed April 27, 1976)

ORDER EXTENDING TIME

The Commission on November 24, 1976 received a written request by letter dated November 23, 1976 from Richard H. Hargrove, attorney for James H. and Bernice K. Kitchen, Exhibit No. 1 herein, for a further extension of time of one year of the final date of December 1, 1976 by which compliance with ordering paragraph 1 of Decision 86238, issued herein on August 10, 1976, may be completed.

In said letter Mr. Hargrove has advised that the authorized transfer has not been completed as the Bird's have not offered a clear title to the water systems being transferred and have refused to convey the records, memoranda and papers pertaining to the construction and operation of these water systems. Mr. Kitchen has filed suit in the Superior Court to have the liens on the title to the water systems removed and to obtain conveyance of the records, memoranda and papers pertaining to the construction and operation of these water systems. The time involved in the next step of the transfer is unknown.


The Commission having considered the request from Richard H. Hargrove, attorney for Mr. and Mrs. Kitchen, and finding it reasonable,

IT IS THEREFORE ORDERED that the first line of paragraph 1 of the order in Decision No. 86238, issued herein on August 10, 1976, is further revised to read:

"1. On or before December 1, 1977,"

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 25 day of DECEMBER, 1976.


 _____ President
William J. Quinn

George L. Stanger

Alton

 _____ Commissioners

Commissioner Robert Batinovich, being necessarily absent, did not participate in the disposition of this proceeding.