

ORIGINAL

Decision No. 92350 OCT 22 1980

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the Application)
of Joseph J. Antoniono and)
Florence I. Antoniono, doing)
business as PARK RIDGE WATER)
COMPANY to sell and PARK)
HEIGHTS MUTUAL WATER COMPANY)
to buy the water system in)
Stanislaus County.)

Application No. 59845
(Filed July 29, 1980)

O P I N I O N

By this application, Joseph J. Antoniono and Florence I. Antoniono (sellers), dba Park Ridge Water Company, request authority to sell the system to Park Heights Mutual Water Company (buyer), a corporation, and to be relieved of public utility responsibilities.

The water system service area consists of two subdivisions located in Stanislaus County near the city of Riverbank. It has 94 residential service connections and six fire hydrant connections. It has two wells with 25 HP pumps, each with a capacity of 440 gpm, and a 5,000-gallon storage tank. There are 8,100 feet of mains.

Under the terms of the agreement dated June 19, 1980, all fixtures, equipment, and other tangible assets, except cash on hand, are to be transferred to buyer. The purchase price of \$4,400 will be used to retire advances for construction and accrued legal fees. Sellers are to be responsible for all other outstanding liabilities.

Sellers allege that they desire to dispose of the system because both are advancing in age and are in poor health. The burdens of managing and operating the system have become insupportable and in the near future it may become necessary to renovate the existing wells or establish a new well. They are not in a financial position to do either.

Buyer is a mutual water company whose members consist of the present customers of sellers. Buyer is ready and willing to purchase the system in order to ensure that members will continue to receive water.

The parties allege that there are no customer deposits to establish credit, that appropriate arrangements have been made to pay future refunds as they become due, and that funds necessary to bring the system up to the standards of General Order No. 103 will be available through assessment and membership dues.

After consideration the Commission finds that the proposed transfer would not be adverse to the public interest and upon consummation of the transfer, sellers should be relieved of their public utility obligations. A public hearing is not necessary.

O R D E R

IT IS ORDERED that:

1. On or before December 1, 1980, Joseph J. Antoniono and Florence I. Antoniono, doing business as Park Ridge Water Company, may sell and transfer the water system (and other assets) referred to in the application to Park Heights Mutual Water Company, according to the terms and conditions attached to the application.
2. On or before the date of actual transfer sellers shall refund all customers' deposits for the establishment of credit, if any, which are subject to refund.

3. Within ten days after the completion of the transfer sellers shall notify the Commission, in writing, of the date of transfer, of the refunding of the deposits, and of the date upon which buyer shall have assumed operation of the water system. A true copy of the instruments of transfer shall be attached to the notification.

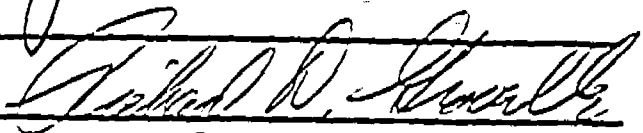
4. Upon compliance with all of the terms and conditions of this order, sellers will be relieved of their public utility obligations in connection with the water system transferred.

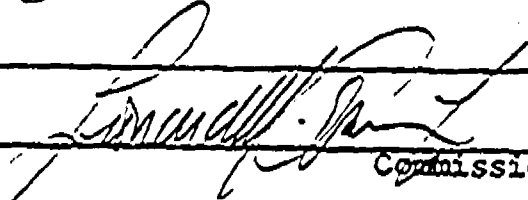
The effective date of this order shall be thirty days after the date hereof.

Dated OCT 22 1980, at San Francisco, California.



President





Commissioners

Commissioner Vernon L. Sturgeon, being necessarily absent, did not participate in the disposition of this proceeding.

Commissioner Claire T. Dedrick, being necessarily absent, did not participate in the disposition of this proceeding.