

ORIGINAL

Decision No. 92758 MAR 3 1981

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Lawrence D. Braun)
and Robyn L. Braun, doing business)
as Audrain Station, to sell and)
James W. Anderson and)
Judith A. Anderson to buy the)
water system in El Dorado County.)

Application No. 60162
(Filed December 29, 1980)

O P I N I O N

Lawrence D. Braun and Robyn L. Braun (Brauns), dba Audrain Station, request authority to sell and James W. Anderson and Judith A. Anderson (Andersons) request authority to purchase the water system located at Audrain Station in El Dorado County.

The water system was certificated by Decision No. 90061 dated March 13, 1979. Brauns desire to sell and transfer the water system because they are dissolving their marriage and disposing of their community property. The water system's source of supply--springs--and its three reservoirs with total capacity of 7,500 gallons are located on the Brauns' residence property which is part of their community property. Andersons desire to purchase the Brauns' residence property and are willing to take over the ten-customer water system. James W. Anderson has been employed by the City of Sacramento Water Department as a construction inspector for the past 12 years and

claims to be familiar with plumbing and the operation of a water system such as the subject water system, which has only 1,800 feet of 2-inch mains. The purchase price of the water system is stated to be \$3,000 and is included in the total purchase price of the residence property. The residence property and the water system are to be sold as a unit to Andersons. The properties must be sold as part of Brauns' divorce settlement. Andersons claim to have a net worth of approximately \$160,000.

Brauns represent that (1) there was no income from the water system in 1979; (2) there is no outstanding stock or debts; (3) there are no employees or compensation; (4) there were no advances for construction; (5) there are no customer deposits; and (6) the condition of the system is good. Andersons propose to adopt the presently filed tariffs of the Brauns and agree to be bound by any outstanding Commission decisions and/or directives involving the water system.

After consideration the Commission finds that the sale and transfer of the water system is not adverse to the public interest and should be approved. We conclude the application should be granted. A public hearing is not necessary.

The authorization herein granted shall not be construed as a finding of the value of the rights and properties herein authorized to be transferred nor as indicative of amounts to be included in proceedings for the determination of just and reasonable rates.

O R D E R

IT IS ORDERED that:

1. On or before September 15, 1981 Lawrence D. Braun and Robyn L. Braun (sellers) may sell and transfer the water system referred to in the application to James W. Anderson and Judith A. Anderson (purchasers) according to the terms and conditions set forth in the application.

2. As a condition to this grant of authority, purchasers shall assume the public utility obligations of sellers within the area served by the water system being transferred and shall assume liability for refunds of all existing customer deposits and advances pertaining to the water system being transferred. Purchasers shall send notice of the assumption of liability for refunds to all customers affected.

3. Within ten days after completion of the transfer purchasers shall notify the Commission, in writing, of the date of completion and of the assumption of the obligations set forth in paragraph 2 of this order.

4. Purchasers shall either file a statement adopting the tariffs of sellers now on file with this Commission or refile under their own name those tariffs in accordance with the procedures prescribed by General Order No. 96-A. No increase in rates shall be made unless authorized by this Commission.


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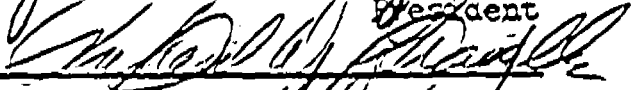
5. On or before the date of actual transfer, sellers shall deliver to purchasers, and the latter shall receive and preserve, all records, memoranda, and papers pertaining to the construction and operation of the water system authorized to be transferred.


6. Upon compliance with all of the terms and conditions of this order sellers shall 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 MAR 3 1981, at San Francisco, California.



President






Commissioners