BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_)

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_)

doing business as \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_) Application No.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_)

to sell and \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_) (For Commission use only)

to buy the water system in \_\_\_\_\_\_\_\_)

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ County)

 )

APPLICATION

 This application of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 (seller(s))

whose address and telephone number is \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, (\_\_\_\_\_)\_\_\_\_\_\_\_\_\_\_\_\_\_\_ owner(s)

of the water system known as \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ and \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 (buyer(s))

whose address and telephone number is \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, (\_\_\_\_)\_\_\_\_\_\_\_\_\_\_\_ respectfully shows:

I

 That communications in regard to this application are to be addressed to \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_whose address

 (person)

is \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_,

 (zip code)

telephone number (\_\_\_\_)\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

II

 That the application is made pursuant to Sections 851 through 854 of the California Public Utilities Code and Rules 1 through 7, 15 through 17, 35, 36, 45 through 48 and 88 of the Commission’s Rules of Practice and Procedure for authority to transfer the water system operating in the area described as \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ in or near the community

of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, serving \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 (city) (number)

customers.

III

 The seller(s) was/were granted a Certificate of Public Convenience and Necessity by Decision (D.)\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, dated \_\_\_\_\_\_\_\_\_\_\_\_\_, in Application (A.)\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, filed \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

 OR

 Authority to acquire the system was granted to sellers by

D.\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, dated \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, in A.\_\_\_\_\_\_\_\_\_\_\_\_\_\_, filed \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. The water system operates under a franchise granted by \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

 (if applicable)

IV

 The water system consists of (brief description):

Land: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Wells Number: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, Diameter: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Depth: \_\_\_\_\_\_\_\_\_\_\_\_\_\_ Other Source of Supply: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Pumping Equipment: Number: \_\_\_\_\_\_\_\_ HP: \_\_\_\_\_\_\_\_\_ capacity--GPM: \_\_\_\_\_\_\_\_\_\_\_\_\_\_ Water Treatment Equipment: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Reservoirs and Tanks: Number: \_\_\_\_\_\_\_\_\_\_\_ Capacity:\_\_\_\_\_\_\_\_\_\_\_\_\_

 (gallons)

Water Mains: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ feet. Services: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 (number)

Meters: \_\_\_\_\_\_\_\_\_ installed, \_\_\_\_\_\_\_ available for installation: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Fire hydrants: \_\_\_\_\_\_\_\_\_\_\_\_\_\_ Buildings: \_\_\_\_\_\_\_

 (number)

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Office furniture and equipment: \_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Transportation equipment: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Other equipment: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

V

 The original cost of property being transferred is $\_\_\_\_\_\_\_, and the depreciation reserve as of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 (date)

is $\_\_\_\_\_\_\_, resulting in a net book cost of $\_\_\_\_\_\_\_. The selling price is $\_\_\_\_\_\_\_\_\_\_\_\_ with these terms for payment: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

 A copy of the transfer agreement is attached hereto as Exhibit A.

 A copy of the proposed deed to real property is attached hereto as Exhibit B.

VI

 Seller(s) desire(s) to dispose of the system because \_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_,

and buyer(s) desire(s) to acquire the system because \_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

Buyer(s) has/have had the following experience which qualifies him/them to operate the system: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

VII

 Seller’s(s’) most recent annual report, for year ending \_\_\_\_\_\_\_\_, is attached hereto as Exhibit C.

 Buyer’s(s’) financial net worth statement is attached hereto as Exhibit D.

 Buyer’s(s’) occupation is \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ and present employment is \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. Buyer’s(s’) employment address and telephone number is \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, (\_\_\_\_)\_\_\_\_\_\_\_\_\_\_\_. Buyer’s(s’) residential address and telephone number is \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, (\_\_\_\_)\_\_\_\_\_\_\_\_\_\_\_.

VIII

 Buyer(s) propose(s) to adopt the presently filed tariffs of the seller(s), a copy of which sellers) has available to furnish to buyer(s). Buyer(s) agree(s) to be bound by any outstanding Commission decisions and/or directives involving the water system being transferred. Buyer(s) will be furnished the utility’s copies of the following or informed of their availability at the Commission’s headquarters, 505 Van Ness Avenue, San Francisco, California 94102:

(a) General Order 96-A, Filing and Posting of

Tariff Schedules

(b) General Order 103, Rules Governing Water

Service, Including Minimum Standards for Design

and Construction

(c) Uniform System of Accounts for Class D Water Utilities

(d) Rules of Practice and Procedure

(e) Public Utilities Code of the State of California

IX

Seller(s) and buyer(s) warrant that:

(a) There are no customer deposits to establish credit.

OR

Buyers will refund customer deposits when due.

(b) There are no main extension advances

OR

All refunds due on main extension advances have been

paid on a current basis and none are overdue.

(c) On main extension advances which will fall due in the

future, buyer(s) agree(s) to pay the refunds when due.

(d) The condition of the system is good.

OR

The system needs modification and repair to bring it up

to the standards of General Order No. 103 at an

estimated cost of $ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. These funds

(are) (are not) available. The work will be performed

by the (seller(s)) (buyer(s)). Source of Funds is

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

X

Seller(s) and buyer(s) accept joint responsibility for informing the community of customers about this application after filing.

WHEREFORE, applicants request an ex parte order authorizing seller(s) to transfer and buyer(s) to acquire the water system described and under conditions stated herein and that seller(s), upon compliance with such an order, be relieved of any public utility responsibilities related to the system being transferred.

I and each one of us whose names are shown as application seller(s) and buyer(s) in the above-entitled matter hereby declare and say:

That I and each one of us have read the foregoing application and know the contents thereof; that the statements are true of my own knowledge, except as to the matters which are stated on information or belief, and as to those matters which I believe them to be true.

I and each one of us declare under penalty of perjury that the foregoing is true and correct. This has been executed at the place and on the date shown on the signature line. (Each named applicant must sign.)

 Signatures City and State Date

Seller: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_

Seller: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_

Buyer: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_

Buyer: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_

NOTE:

 The following exhibits must be attached to all applications for transfer:

Exhibit A - Copy of the sale agreement. If there is no

written agreement, it should be so stated in

the application and other documentation of

sale attached, such as bill of sale, escrow

agreement or note.

Exhibit B - Copy of the proposed deed to the real property

transferred.

Exhibit C - Copy of the last annual report of seller(s)

or a copy of the latest available balance

sheet and income statement of seller(s).

Exhibit D - Copy of buyer’s(s’) financial net worth

statement, or, if operating as a utility,

the latest available balance sheet and

income statement.

 If the purchase price is more than the net book cost, the following statement must be included in the application, preferably as a letter exhibit signed by the purchaser.

 Purchaser is paying $\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ more than the

original cost of net depreciation and contributions.

He understands that rates will be based upon the

depreciated original cost of the plant, excluding

contributed plant, and not on the purchase price.

 A check for $75 must accompany the applications for transfer of the Certificate of Public Convenience and Necessity, when sold to an individual, as contrasted to a public entity.

 Following review of the application by Commission staff the applicant will be notified regarding the adequacy of the information contained in application. The applicant will be provided the text of a notification to be sent each customer. Customers will be given 30 days to make any objections to the Commission, at 505 Van Ness Avenue, San Francisco, CA 94102.

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