

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

DOCKET NO. 03A-016W

IN THE MATTER OF THE APPLICATION OF OCTAL RESOURCES, INC. D/B/A ONEAL
WATER WORKS FOR APPROVAL AND TRANSFER OVER OF STOCK AND CONTROL
VIA A SALE OF STOCK.

COMMISSION ORDER GRANTING APPLICATION

Mailed Date: February 25, 2003
Adopted Date: February 19, 2003

I. BY THE COMMISSION

A. Statement

1. On January 13, 2003, Octal Resources, Inc., doing business as ONeal Water Works (ONeal), filed an application seeking Commission authorization to transfer stock and control of the company via a sale of stock. As part of this transaction, ONeal seeks to transfer its Certificate of Public Convenience and Necessity (CPCN) to provide jurisdictional water services in an area east of Pueblo, Colorado.

2. The Commission issued a 30-day Notice of Application Filed in this Docket on January 14, 2003. No interventions were filed in this matter.

B. Findings of Fact and Conclusions

3. On October 20, 1999, by Decision No. C99-1120 in Docket No. 98A-088W, the Commission affirmed ONeal's status as a public utility and granted to ONeal a CPCN. ONeal's request for a CPCN was initiated as a result of a stipulation entered in Docket No. 97C-325W.

Docket No. 97C-325W was opened following the filing of a complaint and Commission Staff's investigation.

4. ONeal is a supplier of residential domestic water to approximately 175 customers in an area lying immediately east of the City of Pueblo, Pueblo County, Colorado. At the present time there is no other person or company offering such service in this area. Alternative water service is available in the service area from wells and cistern systems, however, most residents presently rely on ONeal to provide their water needs.

5. The current owners, Robert Paradiso, Tommy Ringo, and Barbara Paradiso, request approval to transfer to new owners and directors, Mark Bayes, Ronald Bayes, and Frances Bayes. The intended registered agent upon Commission approval of this application will be Mark Bayes, and the company will continue to operate under the name Octal Resources, Inc., doing business as ONeal Water Works.

6. Information prescribed in Rule 4 *Code of Colorado Regulations* 723-1-55 was presented to the Commission for its review and consideration. We find that good cause exists for granting the application.

II. ORDER

A. The Commission Orders That:

1. The application for Commission authorization to transfer ownership and control of Octal Resources, Inc., doing business as ONeal Water Works from Robert Paradiso, Tommy Ringo, and Barbara Paradiso to Mark Bayes, Ronald Bayes, and Frances Bayes is deemed complete and granted.

2. Mark Bayes, Ronald Bayes, and Frances Bayes, as new owners of Octal Resources, Inc., doing business as ONeal Water Works, shall continue to provide service under the tariff currently in effect and on file with this Commission.

3. This Order is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
FEBRUARY 19, 2003.**

(S E A L)



ATTEST: A TRUE COPY

Bruce N. Smith
Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

GREGORY E. SOPKIN

POLLY PAGE

JIM DYER

Commissioners