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Decision No. 12021.

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of PORT COSTA WAREHOUSE COMPANY, a corporation, for permission to issue stock.) Application Number 8538.

Hugh K. McKevitt, for Applicant.

MARTIN, Commissioner:

OPINION

PORT COSTA WAREHOUSE COMPANY asks permission to issue $850,000.00 of its common capital stock.

Applicant has an authorized stock issue of $1,000,000.00 divided into 10,000 shares of $100.00 each. By Decision Number 7408, dated April 9, 1920, the Railroad Commission authorized applicant to issue $150,000.00 of stock in payment for the wharf and warehouse properties formerly owned by Port Costa Warehouse and Dock Company. Of the outstanding stock, applicant's annual report shows that $74,800.00 is owned by A. Cohn and $74,800.00 by E.A.Strauss.

The wharf and warehouse properties have been reconstructed by applicant at a cost to March 31, 1923 of $359,895.30. The money necessary to pay for the rebuilding of the properties was advanced by applicant's stockholders. It is alleged that the properties in their present condition are worth considerably more than the original cost plus the cost of reconstructing them. While such may be the case, the Commission will not use the alleged value as a basis for the issue of stock. It will authorize the issue of $360,000.00

of stock, an amount approximately equal to the cost of rebuilding the wharf and warehouse properties. It is of record that this stock will be issued to A. Cohn and to E.A.Strauss.

I herewith submit the following form of order:-

O R D E R

PORT COSTA WAREHOUSE COMPANY having applied to the Railroad Commission for permission to issue $850,000.00 of common capital stock, a public hearing having been held and the Railroad Commission being of the opinion that applicant should be authorized to issue $360,000. of stock and that the money, property or labor to be procured or paid for by the issue of such an amount of stock is reasonably required by applicant; therefore,

IT IS HEREBY ORDERED that PORT COSTA WAREHOUSE COMPANY be, and it is hereby, authorized to issue $360,000.00 par value of its common capital stock to liquidate indebtedness incurred to reconstruct its wharf and warehouse properties, and reimburse its stockholders for moneys advanced for such reconstruction.

The authority herein granted is subject to the following conditions:-

1. Port Costa Warehouse Company shall keep such record of the issue, sale and delivery of the stock herein authorized and of the disposition of the proceeds as will enable it to file, on or before the 25th day of each month, a verified report as required by the Railroad Commission's General Order No. 24, which order in so far as applicable, is made a part of this order.

2. The authority herein granted will become effective on the date hereof and will expire on October 1,1923.

IT IS HEREBY FURTHER ORDERED that thisapplication, in so far as it involves the issue of $490,000.00 par value of common capital stock, be dismissed without prejudice.

The foregoing Opinion and Order are hereby approved and ordered filed as the Opinion and Order of the Railroad Commission of the State of California.

DATED at San Francisco, California, this 3d day of May, 1923.

C L Seavey

H W Brundige

Irving Martin

J T Whittlesey

Commissioners.