

LM

Decision No. 12138.

**ORIGINAL**

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of )	
ALBION LUMBER COMPANY )	
for an order authorizing it to pur- )	Application Number 8968.
chase the capital stock issued by )	
Outer Harbor Dock and Wharf Company. )	

Frank Karr, for Applicant.

BRUNDIGE, Commissioner.

O P I N I O N

ALBION LUMBER COMPANY, a public utility, asks permission to purchase \$1,000,000.00 par value of Class "C" preferred stock, \$250,000.00 par value of Class "B" preferred stock and not to exceed \$747,700.00 par value of common stock of the Outer Harbor Dock and Wharf Company. For the preferred stock it will pay par and for the common stock, \$15.00 per share.

The Railroad Commission by Decision Number 11940 dated April 20, 1923 in Application Number 8837 authorized Outer Harbor Dock and Wharf Company to issue not exceeding \$1,850,000.00 of Class "A" and \$1,000,000.00 of Class "C" preferred stock at par to Union Oil Company of California in payment of indebtedness.

By the same decision the Commission authorized the Outer Harbor Dock and Wharf Company to issue and sell at not less than par \$2,000,000.00 of its Class "B" preferred stock to obtain moneys to pay for improvements, additions and betterments. Albion Lumber Company now asks permission to acquire the \$1,000,000.00 of Class "C" stock and \$250,000.00 of Class "B" stock of the Outer Harbor Dock and Wharf Company.

The record in Application Number 8837 shows \$2,625,150.00 of common stock of the Outer Harbor Dock and Wharf Company outstanding. All of this stock was issued prior to the effective date of the Public Utilities Act. The Albion Lumber Company asks permission to acquire not exceeding \$747,700.00 of the stock and pay therefor \$15.00 per share. The \$15.00 is not based on an appraisal of the properties or on the market value of the stock, but is an agreed price, the result of negotiations between the parties in interest.

I herewith submit the following form of order:-

O R D E R

ALBION LUMBER COMPANY having applied to the Railroad Commission for permission to purchase stock of the Outer Harbor Dock and Wharf Company, a public hearing having been held and the Commission being of the opinion that this application should be granted, as herein provided, therefore

IT IS HEREBY ORDERED that ALBION LUMBER COMPANY be, and it is hereby, authorized to acquire at par 10,000 shares (\$1,000,000.00 par value) of Class "C" and 2500 shares (\$250,000.00 par value) of Class "B" preferred stock of Outer Harbor Dock and Wharf Company; and to acquire at not more than \$15.00 per share 7,477 shares (\$747,700.00 par value) of common stock of the Outer Harbor Dock and Wharf Company.

The authority herein granted is subject to further conditions as follows:-

1. -- The price at which applicant is herein authorized to acquire stock of the Outer Harbor Dock and Wharf Company, shall not be urged before this Commission or any other public body having jurisdiction, as a measure of the value of the properties of Outer Harbor Dock and Wharf Company, for the purpose of fixing

rates.

2.-- The authority herein granted will become effective on  
the date hereof.

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 25th day of  
May, 1923.

Chas. H. ...  
H. B. ...  
J. W. ...  
E. ...

Commissioners.