

ORIGINAL

Decision No. 13619

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of)
 HUGH GOODFELLOW, WARREN ULNEY, and)
 W. I. BROBECK, as Trustees, and KEY)
 SYSTEM TRANSIT COMPANY, a corporation,)
 EAST OAKLAND RAILWAY COMPANY, a cor-)
 poration, OAKLAND AND HAYWARDS RAILWAY)
 COMPANY, a corporation, and KEY SYSTEM)
 SECURITIES COMPANY, a corporation, to)
 transfer and acquire the property for-)
 merly belonging to San Francisco-)
 Oakland Terminal Railways, a corpora-)
 tion, and to issue Securities.)

Application Number 9367

BY THE COMMISSION :

FOURTH SUPPLEMENTAL ORDER

The Railroad Commission by Decision Number 12931, dated December 14, 1923, authorized the East Oakland Railway Company to issue \$229,000.00 of 15 year first mortgage six per cent bonds subject, among others, to the condition that none of the bonds be issued until the Commission by a supplemental order has authorized the East Oakland Railway Company to execute a mortgage or deed of trust to secure the payment of such bonds. On May 14, there was filed in the above entitled matter^a/supplemental petition in which the Commission is asked to make an order authorizing the East Oakland Railway Company to execute a mortgage or deed of trust substantially in the same form as that filed on said date with the Commission. The proposed mortgage or deed of trust is in satisfactory form, therefore,

IT IS HEREBY ORDERED that the East Oakland Railway Company be, and it is hereby, authorized to execute a mortgage or deed of trust substantially in the same form as the mortgage or deed of trust filed with this Commission on May 14, 1924, for the purpose

of securing the payment of \$229,000.00 first mortgage six per cent bonds due July 1, 1938, provided that the authority herein granted to execute a mortgage or deed of trust is for the purpose of this proceeding only and is granted in so far as this Commission has jurisdiction under the terms of the Public Utilities Act, and is not intended as an approval of such mortgage or deed of trust as to such other legal requirements to which said mortgage or deed of trust may be subject; provided, further, that as soon as executed East Oakland Railway Company shall file with the Commission^a certified copy of the mortgage or deed of trust securing the payment of its first mortgage bonds.

IT IS HEREBY FURTHER ORDERED that the Order in Decision Number 12931, dated December 14, 1923, as amended, shall remain in full force and effect except as modified by this Fourth Supplemental Order.

DATED at San Francisco, California, this 28th day of May, 1924.

C. Seaver

H. B. ...

Egerton Shore

Commissioners.