

Decision No. 15938

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of  
FRESNO TRACTION COMPANY for (a)  
authority to abandon certain street  
railway franchises in Fresno; (b)  
for certificate of public conven-  
ience and necessity for the exercise  
of resettlement franchises; and (c)  
to execute to Union Trust Company  
of San Francisco, as Trustee, a  
supplementary mortgage covering such  
resettlement franchise rights.

Application No. 7705.

ORIGINAL

BY THE COMMISSION:

SECOND SUPPLEMENTAL ORDER

On October 3rd, 1925, formal stipulation, signed by the attorneys for the respective interested parties, was filed with the Commission. In this stipulation the interested parties agreed that this Commission's Decision No. 14408, dated December 27th, 1924, in the above-entitled proceeding be amended by adding thereto a certain paragraph as hereinafter set forth, and the Commission being agreeable to such amendment,

IT IS HEREBY ORDERED, that Decision No. 14408, dated December 27th, 1924, be and it is hereby amended to include the following paragraph:

"The right is hereby reserved to the applicant, Fresno Traction Company, and to the City of Fresno, to have this proceeding reopened by the Commission for the purpose of determining whether the historic reproduction cost adopted by the Commission in said order is the lawful basis of determining values of properties of the applicant operated within the corporate limits of the City of Fresno, under the resettlement franchise granted by the City of Fresno to Fresno Traction Company by Ordinance No. 964 of the City of Fresno, and for the purpose of determining whether the valuation adopted by the Commission under said method is the "capital value" provided for by the terms of said franchise. This proceeding may be so

reopened at any time upon application of either of said parties when and if in the judgment of either of said parties the valuation so adopted by said Commission in this proceeding should operate to the prejudice of such party or parties."

IT IS HEREBY FURTHER ORDERED that the Petition for Modification and Rehearing filed on January 22nd, 1925, by applicant, Fresno Traction Company, be and the same is hereby dismissed.

This order shall become effective on the date hereof.

Dated at San Francisco, California, this 5<sup>th</sup> day of February, 1926.

W. H. Brandt  
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Commissioners.