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ORIGINAL

Decision No. 19358.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
SMITH RIVER POWER COMPANY,
a voluntary association, and Smith
River Power Company, a corporation,
for an order authorizing the sale and
conveyance of certain lands, tene-
ments and property belonging to said
Smith River Power Company, a volun-
tary association, to Smith River Power
Company, a corporation, and for per-
mission to said Smith River Power
Company, a corporation, to issue
stock or stock certificates or bonds,
notes or other evidences of indebted-
ness payable at periods of more than
twelve months after date thereof.

Application No. 13820

BY THE COMMISSION:

FIRST SUPPLEMENTAL ORDER

The order in the Commission's Decision No. 18618 dated
September 19, 1927, in the above entitled matter, reads in part as
follows:-

" THE RAILROAD COMMISSION HEREBY DECLARES that hereafter
upon the filing of a certified copy of an ordinance of the
County of Del Norte granting to Smith River Power Company,
a corporation, a franchise, and a stipulation in which the
corporation agrees that it, its successors and assigns will
never claim a value of said franchise in excess of the amount
actually paid to said County of Del Norte for said franchise,
the Railroad Commission will declare that public convenience
and necessity require and will require the exercise by
Smith River Power Company, a corporation, of the rights and
privileges granted to it by such ordinance, subject to such
terms and conditions as the Railroad Commission may prescribe."

On February 8, 1928 Smith River Power Company filed with
the Commission a certified copy of a franchise (Ordinance 114)
adopted on November 30, 1927, by the Board of Supervisors of the
County of Del Norte and a stipulation duly executed in which it
agrees that it, its successors and assigns will never claim a value
for said franchise in excess of the amount actually paid to the

county of Del Norte, which amount is reported as \$30,00. Said Ordinance No. 114 grants to Smith River Power Company, and its assigns, the right to erect, construct, maintain and lay poles and transmission lines, to transmit electric energy for light, heat and power purposes, and to lay water mains, and other necessary pipe lines for the purpose of furnishing water to purchasers thereof, over, along, through, under or across any highway or other public place, in Section twenty-six (26) and thirty-five (35) in Township eighteen (18) North, Range one (1) West, Humboldt Meridian. At the hearing had on Application No. 13820 it was stated and it is recited in Decision No. 18818, that the company would also sell electric energy in Section two (2) Township seventeen (17) North, Range one (1) West Humboldt Meridian and in the east one half (1/2) of Section twenty-seven (27) Township eighteen (18) north, Range one west Humboldt Meridian.

The rights herein granted will be confined to the territory described in Ordinance No. 114. Though other territory was mentioned in our Decision No. 18818 we are not granting to Smith River Power Company any certificate as to such territory.

THE RAILROAD COMMISSION HEREBY DECLARES that public convenience and necessity require and will require the exercise by Smith River Power Company of the rights and privileges conferred upon it by Ordinance No. 114 of the Board of Supervisors of Del Norte County, provided that such rights and privileges may be exercised only in Section 26 and 35 of Township 18 North, Range one west, Humboldt Meridian, and hereby further declares that the stipulation filed on February 8, 1928 is in satisfactory form.

DATED at San Francisco, California, this 15th day of February, 1928.

Leon Whitell
Chairman
John S. Rourke
Commissioners.