

LEM

Decision No. 10852.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of  
THE WESTERN PACIFIC RAILROAD COMPANY,  
a corporation, THE ATCHISON, TOPEKA  
AND SANTA FE RAILWAY COMPANY, a cor-  
poration, and ALAMEDA BELT LINE, a  
corporation, for an order of the Rail-  
road Commission of the State of Cali-  
fornia, (1) authorizing said ALAMEDA  
BELT LINE to issue and sell 5000  
shares additional of its common capital  
stock of the par value of \$100. per share;  
and (2) authorizing THE WESTERN PACIFIC  
RAILROAD COMPANY and THE ATCHISON,  
TOPEKA AND SANTA FE RAILWAY COMPANY to  
purchase said capital stock.

ORIGINAL

Application No. 14658

E. P. Tyler, for Alameda Belt Line,  
Platt Kent and J. R. Hayden, for The Atchison, Topeka  
and Santa Fe Railway Company,  
F. M. Angellotti, for The Western Pacific Railroad  
Company.

BY THE COMMISSION:

OPINION

In the above entitled matter the Railroad Commission is asked to make an order authorizing Alameda Belt Line to issue and sell, at par for cash, \$500,000.00 of its common capital stock and authorizing The Atchison, Topeka and Santa Fe Railway Company and The Western Pacific Railroad Company to acquire said stock in equal proportions.

Alameda Belt Line is a corporation organized under the laws of the State of California for the purpose of engaging in the business of a common carrier by railroad, and especially to acquire, extend and operate a belt line railroad in the City of Alameda to serve the industrial area and water front section. In Application No. 10828, filed with the Commission on March 3, 1925, it estimated

at \$494,535.58 the cost of acquiring the existing line belonging to the City of Alameda and of extending it in a general westerly direction to the westerly line of Webster Street, including a line to the freight ferry slip located on the Estuary of San Antonio, with an interchange track on Clement Avenue between Broadway and Park Street, and of extending it in a general westerly direction from the westerly line of Webster Street to the shore line of San Francisco Bay, together with classification yard, track scales, water and oil facilities, etc. It asked, in that proceeding, and by Decision No. 15177, dated July 14, 1925, received permission to issue \$500,000.00 of stock to finance its estimated costs.

The company now reports that it has issued and sold the \$500,000.00 of stock authorized by the former decision. It further reports, however, that additional industrial development in the City of Alameda has demanded additional trackage and that it has increased the estimated cost of the extension to Webster Street from \$389,018.35 to \$827,248.72 and of the extension west of Webster Street from \$75,527.23 to \$160,000.00. These revised estimates, together with the \$30,000.00 spent in purchasing the City of Alameda's line, thus will call for total expenditures of \$1,017,248.72.

Up to April 30, 1928 the company reports expenditures for road and equipment of \$895,049.41. It reports that the amounts expended in excess of the receipts from the \$500,000.00 of stock heretofore authorized have been advanced, in equal amounts, by The Atchison, Topeka and Santa Fe Railway Company and The Western Pacific Railroad Company. Applicant proposes to issue stock to these two companies to liquidate at par these cash advances and to sell the remainder of the \$500,000.00 of stock at par, for cash, to provide, in part, the remainder of the estimated construction costs.

O R D E R

Alameda Belt Line, having applied to the Railroad Commission for permission to issue and sell \$500,000.00 of stock, a public hearing having been held before Examiner Fankhauser, and the Railroad Commission being of the opinion that the money, property or labor to be procured or paid for through the issue of such stock is reasonably required for the purposes specified herein, which purposes are not in whole or in part reasonably chargeable to operating expense or to income,

IT IS HEREBY ORDERED that Alameda Belt Line be, and it hereby is, authorized to issue and sell, at par, for cash, \$500,000.00 of its common capital stock and to use the proceeds to finance in part the cost of acquiring or constructing its road and equipment, as set forth in Exhibit No. 1 or to deliver at not less than par, such stock, or any portion thereof, to pay indebtedness incurred for the purpose of paying for its road and equipment.

IT IS HEREBY FURTHER ORDERED that The Atchison, Topeka and Santa Fe Railway Company and The Western Pacific Railroad Company be, and they hereby are, authorized to acquire and hold, ~~separately~~ in equal proportions, the \$500,000.00 of stock which Alameda Belt Line herein is authorized to issue.

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

(1) Alameda Belt Line 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 Rail-

road Commission's General Order No. 24, which order insofar as applicable, is made a part of this order.

(2) The authority herein granted will become effective upon the date hereof. Under such authority no stock may be issued after March 31, 1929.

DATED at San Francisco, California, this 5<sup>th</sup> day of June, 1928.

Leon Whitsell

C. Seaver

Edward J. ...

Thos. J. ...

W. J. ...

Commissioners.