

LRA

Decision No. 20579

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
PACIFIC TRANSPORTATION COMPANY)
for the approval of the execution)
of applicant's notes secured by) Application No. 15155.
mortgage and trust deed.)

Maurice C. Sparling, for applicant.

BY THE COMMISSION:

ORIGINAL

O P I N I O N

In this proceeding the Railroad Commission is asked to make an order authorizing O. C. Butler and Harold A. Grundy, co-partners doing business under the firm name and style of Pacific Transportation Company, to execute a first mortgage securing the payment of a \$15,000.00 seven percent note due December 15, 1929, and a second deed of trust securing the payment of \$18,797.00 seven percent note payable in monthly installments of \$315.00.

It appears that applicants are engaged in the business of transporting property by auto trucks between the City of Los Angeles and the steamship wharves and docks located at Wilmington and San Pedro, operating under authority granted by the Commission by Decision No. 14404, entered on Application No. 9627 on December 27, 1924. It is reported that applicants own a parcel of property at 825 East 62nd Street, Los Angeles, upon which they have erected a

one story concrete and brick building, 80 feet by 175 feet in size, for use as a warehouse, garage, office and business terminal. To finance in part the cost of the land and improvements, applicants executed a first mortgage and a second deed of trust to secure the payment of a three year seven percent note for \$15,000.00 and a seven percent note for \$22,700.00 payable in monthly installments of \$315.00.

Applicants did not obtain an order from the Commission to incur the two obligations. It clearly appears, however, that their failure to do so was through inadvertance and with no intent to evade the provisions of the Public Utilities Act or Auto Stage and Truck Transportation Act. When their attention was directed to the necessity of obtaining such an order, they caused this present application to be filed. Copies of the mortgage and of the deed of trust are attached to the application.

C R D E R

Application having been made to the Railroad Commission for an order authorizing the execution of notes secured by a mortgage and a deed of trust, a public hearing having been held before Examiner Williams, and the Railroad Commission being of the opinion that the application should be granted, as herein provided, and that the money, property or labor to be procured or paid for through such issue is reasonably required for the purpose specified herein, which purpose is not in whole or in part reasonably chargeable to operating expense or to income,

IT IS HEREBY ORDERED that O. C. Butler and Harold A. Grundy, co-partners doing business under the firm name and style of Pacific Transportation Company be, and they hereby are, authorized to execute a mortgage to secure the payment of a \$15,000.00 seven percent note due December 15, 1929, and a deed of trust securing the payment of a \$18,797.00 seven percent note payable in monthly installments of \$315.00, for the purpose of financing in part the property and improvements referred to in the foregoing opinion.

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

1. The mortgage and the deed of trust shall be substantially in the same form as those attached to the application herein.
2. The authority herein granted to execute a mortgage and a deed of trust is for the purpose of this proceeding only and is granted only insofar as this Commission has jurisdiction under the terms of the Public Utilities Act and the Auto Stage and Truck Transportation Act and is not intended as an approval of said mortgage and said deed of trust as to such other legal requirements to which they may be subject.
3. The authority herein granted will become effective upon the payment of the fee prescribed by Section 57 of the Public Utilities Act and Section 6 of the Auto Stage and Truck Transpor-

tation Act, which fee is Thirty-four (\$34.00)
Dollars.

DATED at San Francisco, California, this 13th
day of December, 1928.

Leon Whitely
Al Seaver
Francis A. ...
M. P. ...

Commissioners.

