

LBM

Decision No. 20726.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of  
J. P. THOMAS  
of Carberville, California, for order  
approving and validating the execution  
of a chattel mortgage upon the prop-  
erty of the J. P. Thomas Telephone Com-  
pany in favor of Edward C. Wagner for  
Twenty Thousand Dollars.

Application No. 15317

Arthur W. Hill, for applicant.

ORIGINAL

BY THE COMMISSION:

ORDER

J. P. Thomas has applied to the Railroad Commission for an order authorizing him to execute a mortgage to secure the payment of a one year six percent note in the principal amount of \$20,000.00.

The application shows that J. P. Thomas, under the firm name and style of J. P. Thomas Telephone Company, is engaged in supplying telephone service to the inhabitants of Carberville and surrounding territory. It appears that on September 29, 1928, the building located at Carberville in which was housed the telephone plant of the J. P. Thomas Telephone Company was destroyed by fire and that in order to rebuild the structure and restore the telephone service it was necessary for Mr. Thomas to borrow \$20,000.00 and to secure the payment thereof by a mortgage upon all his properties, consisting of three parcels of land and a telephone system. It is reported that Mr. Thomas did not have sufficient property to secure the payment of the \$20,000.00 unless he included under the mortgage

his telephone properties.

Because the mortgage covers the public utility telephone properties, applicant accordingly has filed this application with this Commission. A copy of the instrument attached to the application appears to be in satisfactory form and the Commission accordingly will make its order approving its execution, therefore,

IT IS HEREBY ORDERED that J. P. Thomas, doing business under the firm name and style of J. P. Thomas Telephone Company, be, and he hereby is, authorized to execute a mortgage substantially in the same form as that filed in the above entitled application, to secure the payment of a promissory note in the principal amount of \$20,000. payable on or before one year after date, with interest at not exceeding six percent per annum.

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

1. The authority herein granted to execute a mortgage 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 is not intended as an approval of said mortgage as to such other legal requirements to which it may be subject.

2. The authority herein granted will become effective upon the date hereof.

DATED at San Francisco, California, this 25<sup>th</sup> day of January, 1929.

Thomas D. Smith  
C. A. Harvey  
Ernest C. Williams  
Leon A. Whiskey  
M. J. Lewis