

LEM

Decision No. 23763.

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of }
J. P. THOMAS }
of Garberville, California, for order }
approving and validating the renewal } Application No. 17421
of a chattel mortgage for Twenty-two }
Thousand Dollars. }

H. C. Nelson, for applicant.

BY THE COMMISSION:

O P I N I O N

J. P. Thomas has applied to the Railroad Commission for authority to execute a mortgage and note in the principal amount of \$22,000.00, payable one year after date with interest at the rate of six percent per annum.

It appears that J. P. Thomas is the owner and operator of a public utility telephone system located in and about the town of Garberville, Humboldt County. On February 5, 1929, under authority granted by Decision No. 20726, dated January 25, 1929, he executed a mortgage on his telephone plant and on certain nonoperative real estate and properties, securing the payment of a one year six percent note for \$20,000.00, to finance the cost of constructing a building used for nonoperative purposes and also to house the telephone central office equipment. To date \$2,000.00 has been paid on the principal amount.

Applicant now desires to make, on his real estate, certain improvements which will be of a non-utility nature, consisting of an additional store building estimated to cost \$5,000.00. It

is reported that Edward C. Wagner, the holder of the present note and mortgage, has agreed to advance to applicant at this time the further sum of \$4,000.00. Applicant accordingly desires to execute a new mortgage to secure a total indebtedness of \$32,000.00 and now issue his one year six percent note for \$22,000.00 for the purpose of paying the \$18,000.00 due on the note now outstanding and provide himself with \$4,000.00 to pay in part for the new building. To avoid the necessity of executing a new mortgage in the event he needs additional cash, applicant requests permission to execute a mortgage which will secure the payment of a total indebtedness of \$32,000.00. A copy of the proposed mortgage, which appears to be in satisfactory form, is filed with the application.

ORDER

J. P. Thomas having applied to the Railroad Commission for authority to execute a \$22,000.00 note and a mortgage and the Railroad Commission being of the opinion that this is not a matter in which a public hearing is necessary, that the application should be granted, as herein provided, and that the money, property or labor to be procured or paid for through the issue of the note is reasonably required by applicant,

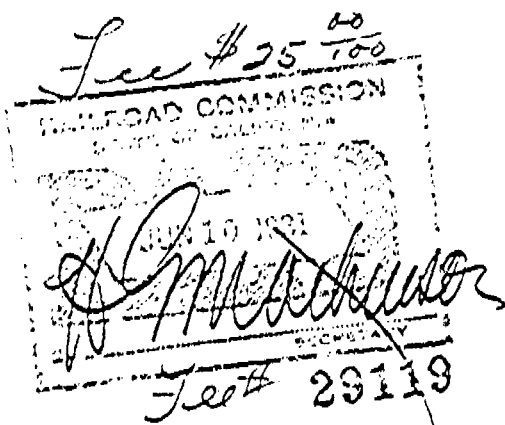
IT IS HEREBY ORDERED, that J. P. Thomas be, and he hereby is, authorized to execute a mortgage substantially in the same form as that filed with the application herein and to issue his promissory note secured by said mortgage in the principal amount of \$22,000.00 payable on or before one year after date of issue with interest at the rate of six percent per annum, for the purpose of paying or refunding outstanding indebtedness of \$18,000.00 and of financing the cost of

the improvements referred to in the foregoing opinion.

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

1. Applicant shall keep such record of the issue of the note herein authorized and of the disposition of the proceeds as will enable him to file within thirty(30) days thereafter a report, as required by the Railroad Commission's General Order No. 24, which order insofar as applicable, is made a part of this order.
2. 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 said mortgage may be subject.
3. The authority herein granted will become effective when applicant has paid the minimum fee prescribed by Section 57 of the Public Utilities Act, which fee is Twenty-five (\$25.00) Dollars.

DATED at San Francisco, California, this 8th day of June, 1931.



C. S. ...
L. ...
M. P. ...
M. B. ...
Fred G. ...
Commissioners.