

Decision No. 23888

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
RICHMOND BELT RAILWAY, a corporation, )  
and PARR-RICHMOND TERMINAL CORPORATION, )  
LTD., a corporation, for an order )  
authorizing the lease of certain property. )

Application No. 17528

**ORIGINAL**

BY THE COMMISSION:

O P I N I O N

In this proceeding the Railroad Commission is asked to make an order authorizing the leasing by the Richmond Belt Railway to the Parr Richmond Terminal Corporation, Ltd. of certain property described in Exhibit "A" attached to the application as

"that certain wharf known as the Point San Pablo Wharf situated at Point San Pablo in the City of Richmond, County of Contra Costa, State of California, together with the three warehouses and other improvements and equipment located thereon and all the right, title and interest of the Lessor in and to any and all lands covered by said wharf with approaches thereto and all appurtenances"

subject, however, to four leases now in effect as specifically set forth in Exhibit "A" attached to the application giving the lessees therein certain rights in and to these properties.

The Point San Pablo Wharf for some time past has been operated by the Richmond Belt Railway, a corporation which also owns a steam railroad extending from Richmond along the shore of San Francisco Bay to and on the wharf, thence continuing from the wharf in a southerly direction to Winchaven. This line of railroad is leased to and is operated alternate terms of five years by the Southern Pacific Company and the Atchison, Topeka & Santa

Fe Railway Company.

Simultaneously with the filing of this application these same applicants filed application No. 17529 whereby the lessor herein seeks authority from the Commission to sell to the lessee the property here involved. Such sale, however, is not to be effected until a sale has been consummated by Richmond Belt Railway to Southern Pacific Company and the Atchison, Topeka & Santa Fe Railway Company of the railroad heretofore described. In order that Parr Richmond Terminal Corporation, Ltd. might operate these wharf properties during the pendency of these transactions applicants seek authority to enter into this lease arrangement.

It appears to the Commission that this is not a matter in which a public hearing is necessary and that the application should be granted as herein provided, therefore

IT IS HEREBY ORDERED that Richmond Belt Railway be and it is hereby authorized to lease its wharf properties as described herein to Parr Richmond Terminal Corporation, Ltd. in accordance with the terms and conditions of the lease to be executed, a copy of which is filed with the application, and that Parr Richmond Terminal Corporation, Ltd. be and it is hereby authorized to acquire and operate such properties.

The authority herein granted is subject to the following conditions:

1. The consideration to be paid for the lease of the property herein authorized shall never be urged before this Commission or any other rate fixing body as a measure of value of said property for rate fixing, or any purpose other than the lease herein authorized.
2. Applicant Parr Richmond Terminal Corporation, Ltd. shall immediately file with the Commission in accordance with the prescribed rules a tariff naming the rates, rules and regulations governing its wharfage service.

3. The rights and privileges herein authorized may not be sold, leased, transferred nor assigned, nor service thereunder discontinued, unless the written consent of the Railroad Commission to such sale, lease, transfer, assignment or discontinuance has first been secured.

Dated at San Francisco, California, this 13<sup>th</sup> day of  
July, 1931.

Cl. Seaver  
Leon O. Whitwell  
M. J. [unclear]  
Fred G. Stewart  
COMMISSIONERS.