

Decision No. 24000

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application	}	Application No. 17544.
of WILLIAM R. RAY for approval		
of a wharf franchise.		

BY THE COMMISSION:

ORIGINALORDER APPROVING WHARF FRANCHISE

William R. Ray by this application requests an order from the Commission approving the action of the Board of Supervisors of the County of El Dorado, State of California, in granting to him for the term of twenty years a wharf franchise on certain lands belonging to the State of California bordering on a navigable lake in the County of El Dorado, State of California, and more particularly described as contained and being within the following boundaries, to-wit:

On the shore of Lake Tahoe 301 feet west of the east boundary line of the West half of Lot Two (2) of the Northeast Quarter of Section Thirty-three, Township Thirteen North, Range Eighteen East, M.D.B. & M., thence north a distance of approximately 2000 feet into the water of Lake Tahoe.

It appears from the application that on the 7th day of July, 1931, the Board of Supervisors of the County of El Dorado, State of California, under Ordinance No. 103 granted to applicant a franchise, together with the right to construct and maintain a wharf and to take tolls thereon, as specifically

set forth in its "Ordinance Number 103", a copy of which is attached to the application.

In so far as an approval of this Commission may be necessary under the provisions of Section 2906 et seq. of the Political Code, of the right to erect, construct and maintain a wharf, such approval is hereby granted.

The Commission desires to point out, however, that the use of said wharf by the public and the collection of tolls for such use would result in William R. Ray transacting a public utility (i.e. wharfinger) business in this state. Such a result would require this applicant to file tariffs in conformity with the provisions of the Public Utilities Act.

Dated at San Francisco, California, this 31st day of August, 1931.

C. C. Lenny
Leon Whidely
M. J. Curran
W. B. Harris
Fred G. Stewart
Commissioners.