

Decision No. 24876

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 THE ATCHISON, TOPEKA AND SANTA FE)
 RAILWAY COMPANY, a corporation, for)
 approval of its first lien and)
 refunding mortgage dated January 1,)
 1932.)

Application No. 18116

ORIGINAL

Robert Brennan, for applicant.

BY THE COMMISSION:

ORDER

The Atchison, Topeka and Santa Fe Railway Company, organized as a railroad corporation under the laws of the State of Kansas, owns, leases and operates railroads in California, extending into the states of Arizona, New Mexico, Colorado, Oklahoma, Kansas, Missouri, Iowa, Illinois and other states. It asks permission from this Commission to execute to the Guaranty Trust Company of New York and Harry T. Abernathy, Trustees, a first lien and refunding mortgage to be dated January 1, 1932. It desires authority to execute this mortgage in order that it may be in a position from time to time to issue bonds to refund outstanding bonds, to reimburse its treasury on account of income expended for the payment of indebtedness and the acquisition of properties, and to provide itself with funds for the making of further additions and betterments to and extensions of its properties and those of its affiliated companies.

A copy of the company's proposed first lien and refunding mortgage has been filed in this proceeding. We have examined the same and find it to be in satisfactory form and believe that applicant's request should be granted, therefore,

IT IS HEREBY ORDERED, that The Atchison, Topeka and Santa Fe Railway Company be, and it is hereby, authorized to execute to Guaranty Trust Company of New York and Harry T. Abernathy, Trustees, a first lien and refunding mortgage substantially in the same form as the first lien and refunding mortgage filed in this proceeding on April 28, 1932, provided that the authority herein granted to execute said first lien and refunding mortgage is for the purpose of this proceeding only, and is granted insofar as this Commission has jurisdiction under the terms of the Public Utilities Act and is not intended as an approval of said first lien and refunding mortgage as to such other legal requirements to which said first lien and refunding mortgage may be subject.

IT IS HEREBY FURTHER ORDERED, that The Atchison, Topeka and Santa Fe Railway Company shall, within sixty (60) days after the execution of the aforementioned first lien and refunding mortgage, file with this Commission two certified copies of such instrument.

DATED at San Francisco, California, this 13th day of June, 1932.

C. C. Leary
Leon Whitwell
W. J. Lee
W. B. Lane
Fred G. Atkinson
Commissioners.