

Decision No. 25027**ORIGINAL**

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
Pacific Coast Railway Company, a
corporation, for approval of an ex-
tension of wharf franchise.

)
)
) Application No. 18222.

BY THE COMMISSION:

ORDER APPROVING WHARF FRANCHISE

The Pacific Coast Railway Company, a California corporation by this application requests an order from this Commission approving the action of the Board of Supervisors of the County of San Luis Obispo, State of California, by Ordinance No. 18 dated June 6, 1932 in granting to it for the term of twenty years, a franchise to operate and maintain a wharf upon the Bay of San Luis Obispo and more particularly described as follows, to-wit:

Beginning at a point on the line of ordinary high tide, distant south 5 degrees 20 minutes east, 53 feet from Station 68 - 10 in the center of the railroad track of Pacific Coast Railway Company, from which station 68 - 10 Station 65 - 60.9 E.C. of said railroad bears north 81 degrees 46 minutes west 249.1 feet distant; and which extends thence across the intervening tidelands and the Bay of San Luis Obispo south 5 degrees 20 minutes east 2,225 feet; thence south 397 feet, making a total distance of 2,622 feet.

The franchise which we are asked to approve is a renewal of a prior franchise granted by the Board of Supervisors of San Luis Obispo County by Ordinance dated January 16, 1914 and approved by this Commission in Application No. 914, Decision No. 1272 of February 13, 1914.

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 maintain a wharf as set forth above, 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 the Pacific Coast Railway Company 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 14th day
of August 1932.

C. C. Seaver
Leon Wheeler
W. A. Cunn
W. B. Lavin
Fred G. Stewart
COMMISSIONERS.