

Decision No. 25342

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
 SUBURBAN WATER COMPANY )  
 (formerly Santa Clara Valley Public )  
 Service Company, a corporation) for )  
 (1) order authorizing issue of stock )  
 and bonds; (2) order authorizing )  
 mortgage of certain public utility )  
 properties; (3) certificate of public )  
 convenience and necessity; (4) order )  
 authorizing increase in rates; and )  
 (5) jointly with Fred C. Ehman, R. C. )  
 Leib, Frank A. Leib, Lida Leib )  
 Armstrong, Elna Leib Wright, Joseph )  
 Bacciocco and R. H. Brotherton, res- )  
 pectively, for order authorizing sale )  
 and purchase of certain properties. )

Application No. 17005

BY THE COMMISSION:

THIRD SUPPLEMENTAL ORDER

The Commission by Decision No. 24832, dated June 6, 1932, as amended, authorized Suburban Water Company (formerly Santa Clara Valley Public Service Company), among other things, to issue and sell, on or before December 31, 1932, at not less than 85 per cent of their face value and accrued interest, \$150,000.00 of six per cent twenty year bonds and 4,000 shares of its no par common stock and use the proceeds to acquire the properties referred to in said order and to install and construct additions and betterments described in Exhibit 16 filed in this proceeding, provided that none of said bonds may be issued, sold or delivered until the Commission has authorized said Suburban Water Company to execute a trust indenture to secure the payment of said bonds, and provided further that none of said proceeds be expended for the installation and construction of the

properties described in said Exhibit 16 until there have been filed with the Commission copies of contracts, if any are entered into, under which said construction work will be done and copies of plans, specifications and cost estimates referred to in the opinion in said Decision No. 24832.

On August 27th Suburban Water Company filed with the Commission a copy of its proposed trust indenture. Subsequent thereto it amended said trust indenture by filing with the Commission certain pages to be substituted for pages 1, 3, 4, 5, 6, 14, 16, 17, 18, 31, 36, 38, 44, 45, 46, 48, 50, 51, 52, 60, 61, 68, 71, 72, 74, 98 and 99. The pages to which reference has been made have been substituted in the trust indenture filed with the Commission on August 27th. As amended by said pages, we find the trust indenture to which reference has been made in satisfactory form and believe that applicant should be authorized to execute the same, therefore,

IT IS HEREBY ORDERED, that Suburban Water Company be, and it is hereby, authorized to execute a trust indenture substantially in the same form as the trust indenture filed in this proceeding, provided that the authority herein granted to execute said trust indenture 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 trust indenture as to such other legal requirements to which it may be subject.

IT IS HEREBY FURTHER ORDERED, that within thirty (30) days after the execution of the aforesaid trust indenture, Suburban Water Company file with the Commission a certified copy of said trust indenture.

IT IS HEREBY FURTHER ORDERED, that the order in Decision No. 24832, dated June 6, 1932, as amended, shall remain in full force

and effect, except as modified by this Third Supplemental Order.

DATED at San Francisco, California, this 7<sup>th</sup> day of  
November, 1932.

O. C. Denny  
Leon Denny  
M. A. Denny  
M. B. Denny  
Fred G. Denny  
Commissioners.