

Decision No. 85671

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
                  CLEMENS A. FELDMEYER        )     Application No. 18712  
for authority to issue a note.         )

BY THE COMMISSION:

OPINION AND ORDER

In this application Clemens A. Feldmeyer, who is engaged in operating a public utility water system in and about the Town of Geyserville, asks permission to execute a mortgage and to issue a promissory note in the principal amount of \$3,500.

It appears that under authority heretofore granted by the Commission by Decision No. 8780 dated March 21, 1921 in Application No. 6432, applicant issued his note to Wilhelmena Feldmeyer in the amount of \$3,500.00 payable on January 1, 1931, with interest at the rate of six percent per annum, and secured the payment thereof by a mortgage on his water system, a copy of which mortgage was filed as Exhibit "C" in Application No. 6432.

Applicant reports that the note is now past due and he desires to issue a new note for the same amount, payable fifteen years after date, with interest at the rate of six percent per annum, to be secured by a mortgage in substantially the same form as that filed in Application No. 6432.

The Commission has considered applicant's request and is of the opinion that this is not a matter in which a public hearing is necessary, that the money, property or labor to be procured or paid for through the issue of the note is reasonably required for the purpose specified herein, which purpose is not in whole or in part reasonably chargeable to operating expense or to income, therefore,

IT IS HEREBY ORDERED, that Clemens A. Feldmeyer be, and he hereby is, authorized to execute a mortgage substantially in the same form as that filed as Exhibit "C" in Application No. 6432 and to issue a note to be secured by said mortgage in the principal amount of \$3,500.00 payable on or before fifteen (15) years after the date of issue, with interest at not exceeding six percent per annum, for the purpose of paying or renewing the \$3,500.00 note now outstanding, provided-

1. That the authority herein granted to execute the mortgage is for the purpose of this proceeding only and is granted only insofar as this Commission has jurisdiction under the terms of the Public Utilities Act, and is not intended as an approval of said mortgage as to such other legal requirements to which it may be subject.
2. That applicant keep such record of the issue of the note herein authorized as will enable him to file within thirty (30) days after its issue, a report such as is required by the Railroad Commission's General Order No. 24, which order insofar as applicable,

is made a part of this order.

3. That the authority herein granted will become effective upon the date hereof.

DATED at San Francisco, California, this 27<sup>th</sup> day of February, 1933.

C. Seawey  
Leon Whitney  
W. J. Lee  
W. B. Lewis  
Matthewson  
Commissioners.