

Decision No. 25822

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

-000-

In the Matter of the Application
of ASSOCIATED OIL COMPANY for ap-
proval of renewal of wharf franchise,
Contra Costa County, California.

) ORIGINAL

) Application No. 18805

BY THE COMMISSION:

ORDER APPROVING WEARF FRANCHISE

The Associated Oil 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 Contra Costa, State of California, by order dated March 20th, 1933, in granting to it for the term of twenty years a wharf franchise on certain submerged and overflowed tidelands of the State of California bordering on the southern shore of the Straits of Carquinez in the County of Contra Costa, State of California, and more particularly described as follows, to-wit:

BEGINNING at a point in Section Four (4) Township two (2) North, Range two (2) West, Mount Diablo Meridian, on the southerly shore of Suisun Bay on the boundary line of the property of the Associated Oil Company, as described in deed dated May 23, 1910, and recorded July 25, 1910, in Vol. 154 of Deeds, at page 323 thereof, Records of said Contra Costa County, which said point bears S. 71° 51' W. 696.2 feet from the northeast corner of said property and bears N. 22° 51' W. 5270.2 feet from the center of S. P. Drawbridge No. 38-C across Pacheco Slough or Walnut Creek, running thence N. 71° 51' E. 9.4 feet, thence N. 34° 59' W. 1924.47 feet, thence N. 20° 31' W. 50 feet, thence S. 69° 29' W. 500 feet, thence S. 20° 31' E. 80 feet, thence N. 69° 29' E. 432 feet, thence S. 66° E. 80 feet, thence S. 34° 59' E. 289 feet, thence N. 55° 1' E. 15 feet, thence S. 34° 59' E. 1552.02 feet, thence N. 71° 51' E. 9.4 feet to the point of beginning.

It appears from the application that applicant was heretofore granted a franchise by the Board of Supervisors of the County of Contra (Ordinance No. 128 of March 17, 1913) to construct and maintain the wharf here under consideration. The present franchise is in effect a renewal of the prior franchise.

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 Associated Oil Company transacting a public utility (i. e. wharfing) 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 17th day of April 1933.

C. C. Jones
Leon Whitley
M. A. C.
M. B. Harris
M. W. Anderson
Commissioners.