

GEM

Decision No. 3860

ORIGINAL

Decision No. 3860

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

---ooOoo---

In the Matter of the Application)
of FRED F. DUSTERBERRY, for a) Application No. 2331
Certificate of Public Convenience)
and Necessity.)

BY THE COMMISSION.

SUPPLEMENTAL ORDER

WHEREAS, this Commission by an order in the above-entitled matter dated October 21st, 1916, Decision No. 3808, declared that public convenience and necessity require the exercise by Fred F. Dusterberry of the rights and privileges under a franchise granted him by an ordinance of the County of Alameda, passed September 25th, 1916, authorizing him, his successors and assigns to lay and maintain for a term of twenty-five years water pipes, with all necessary cross pipes and connections, in, across, and along that portion of the county public road and highway described in said Decision No. 3808, provided that said Fred F. Dusterberry should within sixty days of the date of said order have filed with the Railroad Commission a stipulation duly agreeing that he, his successors and assigns, would never claim before the Railroad Commission of the State of California, or any other public authority, any value for said franchise granted by the said County of Alameda in excess of the actual cost thereof to said Fred F. Dusterberry, and should have secured from this Commission a supplemental order approving said

stipulation, and

WHEREAS, said Fred F. Dusterberry has now filed with this Commission a stipulation, as above set forth, and it appearing to this Commission that said stipulation is in form satisfactory to this Commission so far as may be necessary for the purposes of this proceeding,

The Railroad Commission hereby finds as a fact that Fred F. Dusterberry has complied with the conditions of its order in Decision No. 3808, dated October 21st, 1916.

Dated at San Francisco, California, this 6th day of November, 1916.

Max Thelen

Edwin O. Edgerton

Frank R. Doherty

Commissioners.