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ORIGINAL

Decision No. 4405

Decision No. _____

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
 of WESTERN STATES GAS AND ELECTRIC)
 COMPANY, a corporation, for an order)
 authorizing the issue of bonds of the) Application No, 1731.
 face value of \$266,000.00 and notes of)
 the face value of \$33,000.00.)

BY THE COMMISSION.

SEVENTH SUPPLEMENTAL ORDER

WHEREAS, Western States Gas and Electric Company
 in its supplemental application filed May 31, 1917, asks au-
 thority to amend its mortgage or deed of trust, dated June 1,
 1911, by executing a supplemental trust agreement, in sub-
 stantially the same form as the supplemental trust agreement
 attached to said supplemental application and marked Exhibit
 Number One; and

WHEREAS said supplemental trust agreement is intend-
 ed only to relieve Western States Gas and Electric Company
 from paying any and all taxes which may be imposed by the
 laws of the United States, or of any state, county or munici-
 pality thereof, upon its First and Refunding Mortgage 5 Per
 Cent Gold Bonds issued after May 15, 1917, or upon the holders
 of such bonds by reason of such ownership thereof or upon
 the interest thereon and is not intended in any way to release
 the company from paying taxes assessed against it or its own

property; and

WHEREAS it appears that the controlling reason for the execution of the said supplemental trust agreement at this time is to release the company from the payment of the loan tax assessed against holders and owners of bonds by the State of Pennsylvania; and

WHEREAS the supplemental trust agreement will apply to bonds issued prior to May 15, 1917 only if the holder thereof surrenders them to the trustee for cancellation and shall receive in exchange therefor new bonds of the tenor and form set forth in the said supplemental trust agreement;

AND it appearing to the Commission that this is not a matter on which a hearing is necessary.

IT IS HEREBY ORDERED that Western States Gas and Electric Company be granted authority, and it is hereby granted authority, to execute to Girard Trust Company a supplemental trust agreement substantially in the same form as the supplemental trust agreement marked Exhibit Number One and attached to said supplemental application filed May 29, 1917.

The approval herein given of said supplemental trust agreement is for the purpose of this proceeding only and an approval in so far as this Commission has jurisdiction under the terms of the Public Utilities Act, and is not intended as an approval of said supplemental trust agreement as to such other legal requirements to which said supplemental trust agreement may be subject.

Dated at San Francisco, California, this 18th day of June, 1917.

Max Shelton
H. H. Howard
Alfred Gordon
Edwin O. Edgerton
Frank R. Johnson
Commissioners.