

Decision No. 6208

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of Port Costa Warehouse & Dock) Application No. 4449
Company, a corporation, for ap-)
proval of a wharfage franchise.)

BY THE COMMISSION:

O R D E R

Port Costa Warehouse & Dock Company, a corporation, having, on March 3, 1919, under Ordinance No. 148, been granted by the Board of Supervisors of Contra Costa County, for a period of twenty years, a franchise and permit authorizing said company "to erect and maintain a wharf upon those certain lands bordering on the southerly shore of the Straits of Carquinez and situate in Supervisorial District No. 2 in the County of Contra Costa, State of California, and particularly described as follows, to wit:

Beginning at a point on the northerly line of the right of way of the Northern Railway Company at Port Costa, California, said point of beginning is 722 feet distant measured westerly from the northerly hinge of Ferry slip at Port Costa; thence running northerly and at right angles to northerly line of said right of way of said railway 150 feet, more or less, to station in U. S. Pier Head Line; thence running along said Pier Head Line in a general westerly direction 1000 feet to station; thence southerly 150 feet, more or less, to station in the northerly line of said railway right of way; thence running easterly along northerly line of said railway right of way 1000 feet into place of beginning;"

and having applied to the Railroad Commission for approval of said franchise and permit, as provided in Section 2906 of the Political Code of California; copies of all papers showing the regular and orderly procedure by which the said franchise and permit was obtained, having been submitted for the Commission's inspection, and the Commission being of the opinion that this is not a case in which a public hearing is necessary, but that an order approving said franchise and permit should be issued;

IT IS HEREBY ORDERED, and the Railroad Commission hereby approves the wharf franchise and permit above described, and declares that public convenience and necessity require the exercise by Port Costa Warehouse & Dock Company of the rights granted to it by the Board of Supervisors of Contra Costa County under said franchise and permit, upon the following conditions, and not otherwise:

This order shall not become effective until Port Costa Warehouse & Dock Company shall have filed with this Commission a stipulation duly authorized by the Board of Directors of said corporation, stating that neither Port Costa Warehouse & Dock Company nor its successors or assigns shall at any time claim before the Railroad Commission, or any other body, for rate fixing or other purposes a value for said wharf franchise granted to said corporation by the Board of Supervisors of Contra Costa County on March 3, 1919, in excess of the actual cost of procuring same, which cost, if any, shall be stated in the stipulation, and the Commission shall have issued a supplemental order herein stating that said stipulation has been approved and filed.

Dated at San Francisco this 22nd day of March 1919.

Edwin O. Edgerton
H. J. Loveland
Frank Denton
H. C. Anderson
Jessie Watson
COMMISSIONERS.