

Decision No. 6338

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application
of DEL MONTE LIGHT AND POWER COM-
PANY, a corporation, for an order
authorizing it to issue 250 shares
of its capital stock and to purchase
therefor the light and power business
of the PACIFIC IMPROVEMENT COMPANY
in the County of Monterey, State of
California.

Application No. 4520.

Earl H. Pier, for applicants

EDGERTON, Commissioner.

O P I N I O N

Del Monte Light and Power Company asks permission to issue \$25,000.00 par value of its common capital stock for the purpose of purchasing an electrical transmission line and distribution system from the Pacific Improvement Company. The Pacific Improvement Company joins in the application.

A description of the property which the Pacific Improvement Company intends to sell to the Del Monte Light and Power Company was filed with the Commission on May 10 and is found in Exhibit "1" attached hereto.

The properties covered by this application have been appraised for applicants by J. A. Wilcox. In Exhibit "1"

applicants report the value of the transmission line and distribution system at \$26,920.67. This figure includes no allowance for rights of way, lands or easements. The Engineering Department of the Commission has checked the appraisal and finds the same to be reasonable.

The testimony shows that the primary purpose of this application is to effect a segregation of the public utility and non-public utility properties of the Pacific Improvement Company. All of the stock, except shares necessary to qualify directors, of Del Monte Light and Power Company will be acquired by the Pacific Improvement Company and subsequently, together with all of its other properties in Monterey County, transferred to the Del Monte Properties Company.

I herewith submit the following form of Order:-

O R D E R

DEL MONTE LIGHT AND POWER COMPANY having applied to the Railroad Commission for permission to issue \$25,000.00 of stock to acquire the properties of the Pacific Improvement Company, described in Exhibit "1" attached hereto, Pacific Improvement Company having joined in the application, a public hearing having been held, and the Commission being of the opinion that the money, property or labor to be procured or paid for by such issue is reasonably required for the purpose or purposes specified in the Order, and that such purpose or purposes are not in whole or in part reasonably chargeable to operating expenses or to income;

IT IS HEREBY ORDERED that Pacific Improvement Company be, and it is hereby, authorized to sell the properties described in Exhibit "1" attached hereto, to Del Monte Light and Power Company;

IT IS HEREBY FURTHER ORDERED that Del Monte Light and Power Company be, and it is hereby, granted authority to issue at not less than par, \$25,000.00 per value of its common capital stock for the purpose of acquiring the properties of Pacific Improvement Company, described in Exhibit "1" attached hereto.

The authority herein granted is upon the following conditions and not otherwise:-

1.-The consideration at which the public utility properties are herein authorized to be transferred shall not be considered as a measure of value of said properties before this Commission or any other public body for rate fixing or any other purposes.

2.-Del Monte Light and Power Company shall file with the Railroad Commission for approval its book entries relative to the purchase of the properties and the issue of its stock.

3.-Within thirty days after the execution by the petitioners herein of an instrument of conveyance transferring the properties herein referred to, a certified copy of said instrument of conveyance shall be filed with the Railroad Commission by the Del Monte Light and Power Company.

4.-Del Monte Light and Power Company shall keep such record of the issue and sale of the stock herein authorized and of the disposition of the proceeds, as will enable it to file on or before the twenty-fifth day of each month a verified report as required by the Railroad Commission's General Order Number 24, which order, in so far as applicable, is made a part of this Order.

5.-The authority herein granted shall apply only to such property as may be transferred and to such stock as may be issued on or before October 15, 1919.

The foregoing Opinion and Order are hereby approved and ordered filed as the Opinion and Order of the Railroad Commission of the State of California.

Dated at San Francisco, California, this 14th day of May, 1919.

Edwin U. Edgerton

H. L. Leonard

Frank R. Hartley

H. B. Bunnell

Commissioners.

EXHIBIT "1"

In an Agreement of Sale filed with the Railroad Commission on May 10, 1919, Pacific Improvement Company and Del Monte Light and Power Company described the properties referred to in this application as follows:-

"Those certain electric light and power transmission and distribution lines in the said County of Monterey, beginning at a station "O--OO" being a point lying on the westerly line of the Hotel Del Monte grounds, in said County of Monterey, State of California, and near the northerly line of the Southern Pacific Railroad Company's right-of-way; and running thence westerly and northwesterly over the private right-of-way of the Southern Pacific Railroad Company through the City of Monterey; and thence westerly, across the United States Military Reservation, and again northwesterly over Terry Street through New Monterey to the northwesterly boundary of New Monterey; thence westerly into, through and across the property now owned by the Del Monte Properties Company, and known as Del Monte Forest; and running thence westerly through Del Monte Forest to Del Monte Forest Lodge, formerly known as Pebble Beach Lodge; TOGETHER with all branch lines for service to Asilomar, and to Monterey County Water Works, a corporation, to the Library and Gymnasium in the City of Pacific Grove; to Sawmill and to Ocean View Cottage, to Newcome Place and Macomber Place, to Pebble Beach Lodge; and all other branch lines for service to parties living within the boundaries of Del Monte Forest; also all franchises, rights-of-way, poles, lines, transformers and all other electrical equipment and appliances that are now used in the operation of said transmission and distribution lines for distributing electric light and power in Del Monte Forest, and to present customers and patrons of the said grantor, of electric light and power now or hereafter to be served from said transmission and distribution lines; ALSO the business and good will of the Pacific Improvement Company in carrying on and conducting said business of selling, transmitting and distributing electric light and power in said County of Monterey.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereof, and the remainder and remainders, reversion and reversions, rents, issues and profits thereof."

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