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Decision No. 7234.

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BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

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In the Matter of the Application of )  
FOWLER INDEPENDENT TELEPHONE COMPANY ) Application Number 5379.  
for permission to issue notes as evi- )  
dence of indebtedness. )

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John D. Magill, for applicant.

BRUNDIGE, Commissioner.

O P I N I O N.

FOWLER INDEPENDENT TELEPHONE COMPANY asks permission to issue a 1-day 7 per cent or a 7 per cent demand note payable to First National Bank of Fowler for the sum of \$1,500.00.

The record shows that applicant has issued three notes for the sum of \$500.00 each and used the proceeds to pay for extensions, additions and betterments. On June 11, 1918, a new \$1,500.00 demand note was issued without an order from the Railroad Commission to refund the three \$500.00 notes. It appears from the testimony of John D. Magill, applicant's general manager and superintendent, that the \$1,500.00 note was issued without an order from the Commission through inadvertence and with no intention to evade the terms of the Public Utilities Act.

I herewith submit the following form of Order.

O R D E R

FOWLER INDEPENDENT TELEPHONE COMPANY having applied to the Railroad Commission for permission to issue its 7 per cent note for the principal sum of \$1,500.00, a public hearing having been held and the Railroad Commission being of the opinion that the money, property or

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labor to be procured or paid for through such issue is reasonably required by applicant and that the expenditures for such purpose or purposes are not in whole or in part reasonably chargeable to operating expenses or to income;

IT IS HEREBY ORDERED that FOWLER INDEPENDENT TELEPHONE COMPANY be, and it is hereby, authorized to issue either a 1-day 7 per cent or a 7 per cent demand note for the principal sum of \$1,500.00, to refund the \$1,500.00 indebtedness referred to in the foregoing opinion.

The authority herein granted is subject to the following conditions:

- 1.--Applicant may, if it so desires, renew the note herein authorized from time to time, provided the term of the original note and the term of all notes issued in renewal thereof, does not exceed a period of two years from the date of this order.
- 2.--Fowler Independent Telephone Company shall keep such record of the issue and sale of the note or notes herein authorized and of the disposition of the proceeds as will enable it to file on or before the 25th day of each month a verified report as required by the Railroad Commission's General Order No. 24, which order, in so far as applicable, is made a part of this order.
- 3.--The authority herein granted will not become effective until applicant has paid the fee prescribed in the Public Utilities Act.

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 11<sup>th</sup> day of March, 1920.

H. D. Loveland  
Walter R. Herlin  
H. R. Brundage  
Irving Masten  
COMMISSIONERS.

between the rails and two feet on each side thereof, shall be borne by the Southern Pacific Company.

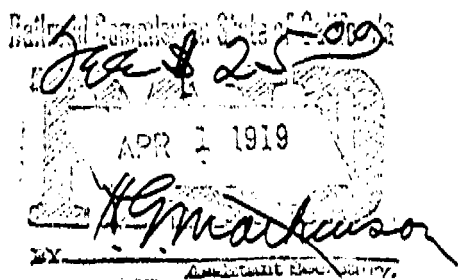
3. Said crossing shall be constructed to a width of not less than twenty-four (24) feet, with grades of approach not to exceed four (4) percent; shall be protected by suitable crossing sign, and shall in every way be made safe for the passage thereover of vehicles and other road traffic.

4. All trees and brush for a distance of 200 feet on each side of and parallel with the outer rails of the tracks, and for a distance of 500 feet north and 500 feet south of the center line of the proposed crossing shall be removed, or so trimmed as to offer no obstruction to view of approaching trains.

5. The cost of removing brush and trees on the right of way of the railroad shall be borne by the railroad company and the cost, if any, of removing brush and trees from private lands shall be borne by the County of Colusa.

6. The Railroad Commission reserves the right to make such further orders relative to the location, construction, operation, maintenance and protection of said crossing as to it may seem right and proper, and to revoke its permission, if in its judgment the public convenience, safety and necessity demands such action.

Dated at San Francisco, California, this 11<sup>th</sup> day of March, 1920.



*H. L. ...*

*...*

*H. B. ...*

*...*

Commissioners