

HS

Decision No. 9104.

BEFORE THE RAILROAD COMMISSION OF THE
STATE OF CALIFORNIA

ORIGINAL

In the Matter of the Application of)
MATTIE L. GOODWIN and GRACE WEBB,)
copartners doing business under the)
firm name and style of QUINCY WATER)
WORKS for order approving the issu-)
ance of notes and mortgages securing)
same.)

Application No. 6909.

U.S. Webb for Applicants.

LOVELAND, Commissioner.

O P I N I O N

MATTIE L. GOODWIN and GRACE WEBB, copartners, doing business under the firm name and style of QUINCY WATER WORKS, ask permission to issue notes of the total face value of \$4,000.00 and execute a mortgage or mortgages securing the payment of the notes.

The record shows that applicants are the owners of a water plant and system used to supply water to the town of Quincy for domestic purposes. They have been the owners of such water plant and system for some years past. For the purpose of paying for certain improvements, betterments and extensions, applicants issued two notes, -one for \$5,000.00, the other for \$1,000.00, to B.F. Chandler. At the time these notes were issued, applicants were not advised nor were they aware of the fact that their issue had to be authorized by the Railroad Commission. In my opinion, the notes heretofore issued and the mortgages executed are void. New notes should be issued to refund the indebtedness represented by the notes now outstanding and new mortgages executed to secure the payment of the

notes herein authorized to be issued.

I herewith submit the following form of Order.

O R D E R.

MATTIE L. GOODWIN and GRACE WEBB, copartners, doing business under the firm name and style of QUINCY WATER WORKS, having applied to the Railroad Commission for permission to issue \$4,000.00 face value of notes and execute a mortgage or mortgages to secure the payment of same, a public hearing having been held and the Railroad 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 purposes specified in this order, and that the expenditures herein authorized are not in whole or in part reasonably chargeable to operating expenses or to income;

IT IS HEREBY ORDERED, that MATTIE L. GOODWIN and GRACE WEBB, copartners, doing business under the firm name and style of QUINCY WATER WORKS be, and they are hereby, authorized to issue a note or notes having an aggregate face value of \$4,000.00, and to execute a mortgage or mortgages to secure the payment of said note or notes, said mortgage or mortgages to be substantially in the same form as the mortgages filed in this proceeding and marked Exhibits "A" and "B".

The authority herein granted is subject to the following conditions:

- 1.--The note or notes herein authorized to be issued shall bear interest at the rate of not exceeding 7 per cent per annum and shall be payable on or before four (4) years after date.
- 2.--The note or notes herein issued shall be issued for the purpose of refunding the indebtedness represented by the

\$3,000.00 note issued on October 19, 1915 to B.F. Chandler and by the \$1,000.00 note issued on January 13, 1917 to B.F. Chandler, -it being understood that the notes heretofore issued to B.F. Chandler will be cancelled.

3.--The authority herein granted to execute a mortgage or mortgages is for the purpose of this proceeding only and is granted 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 mortgage or mortgages as to such other legal requirements to which such mortgage or mortgages may be subject.

4.--The authority herein granted will not become effective until applicants have paid the fee prescribed by the Public Utilities Act.

5.--Applicants shall file with the Commission 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.

6.--The authority herein granted will apply only to such note or notes and to such mortgage or mortgages as may be issued and executed on or before September 15, 1921.

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 June, 1921.

RECEIVED
JUN 25 1921
H. S. Macken

H. L. Loveland
Dwight Martin
[Signature]
Commissioners.