

ORIGINAL

Decision No. 9149.

BEFORE THE RAILROAD COMMISSION OF THE  
STATE OF CALIFORNIA

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In the Matter of the Application of )  
UNION TERMINAL WAREHOUSE COMPANY, )  
a corporation, to issue and sell ) Application No. 6899.  
\$50,000.00 par value of its capital )  
stock. )

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LeRoy M. Edwards for Applicant.

BENEDICT, Commissioner.

OPINION.

UNION TERMINAL WAREHOUSE COMPANY asks permission to issue \$50,000.00 of common stock in lieu of a like amount of stock heretofore issued without an order from this Commission.

The record shows that applicant was organized in 1916. On September 13th of that year, the Commissioner of Corporations authorized applicant to issue and sell \$50,000.00 of its stock. At the time, applicant was of the opinion that an order from this Commission, authorizing the issue of stock, was not necessary for the alleged reason that it was not engaged in a public utility business. Applicant has since engaged in such business, and while so engaged, issued stock under the permit granted by the Commissioner of Corporations. I am of the opinion that the stock heretofore issued by applicant is void and that the certificates now outstanding should be cancelled and new certificates issued in lieu thereof.

As of April 30, 1921, applicant reports assets and liabilities as follows:-

<u>ASSETS:</u>		
Fixed Assets, . . . . .		\$19,900.66
Current Assets, . . . . .		89,573.74
Cash, . . . . .	\$2,527.13	
Accounts Receivable -general freight, . . . . .	31,217.33	
"        "        dist.        "        . . . . .	2,077.16	
"        "        storage, . . . . .	26,975.09	
"        "        miscellaneous, . . . . .	1,905.96	
Notes Receivable, . . . . .	24,750.00	
Railroad claims, . . . . .	121.02	
Deferred Assets, . . . . .		7,008.28
	Total ASSETS, . . . . .	\$116,482.68

<u>LIABILITIES:</u>		
Stock authorized and issued, . . . . .		\$ 50,000.00
Current Liabilities, . . . . .		34,552.24
Accounts Payable, . . . . .	\$2,866.71	
Payroll, . . . . .	62.63	
Accrued taxes payable, . . . . .	4,663.83	
Claims clearance account; . . . . .	177.11	
Notes Payable, . . . . .	26,779.96	
Reserve for Rent, . . . . .		7,809.90
Reserve for Depreciation, . . . . .		750.70
Surplus, . . . . .		23,369.84
	Total LIABILITIES, . . . . .	\$116,482.68

The current assets include \$21,750.00 of notes payable, which are due from applicant's two principal stockholders and represent the balance due on stock subscriptions. I am of the opinion that applicant's stock subscribers should pay for their stock and proper adjustments made in applicant's accounts.

Applicant began its warehouse business during 1918. It has accumulated a surplus of \$23,369.84. Part of this surplus has been obtained from public utility business and part from non-public utility business. The testimony shows that approximately 75% of applicant's business is of a public utility character and the remaining 25%, which consists of renting floor space and similar transactions, of a non-public utility nature.

I herewith submit the following form of Order.

O R D E R

UNION TERMINAL WAREHOUSE COMPANY having applied to the Railroad Commission for permission to issue \$50,000.00 of its common stock, a public hearing having been held and the Commission being of the opinion that applicant's request should be granted;

IT IS HEREBY ORDERED, that UNION TERMINAL WAREHOUSE COMPANY be, and it is hereby, authorized to issue \$50,000.00 of its common capital stock.

The authority herein granted is subject to the following conditions:--

1.--The stock certificates now held by applicant's stockholders shall be returned to applicant and cancelled. In lieu of said certificates, applicant may issue to said stockholders the \$50,000.00 of stock herein authorized, provided said stockholders pay the \$21,750.00 of notes given in payment for stock heretofore issued to them. All proceeds realized from the sale of the stock herein authorized to be issued shall be used to finance applicant's properties and for working capital.

2.--Union Terminal Warehouse 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 25th day 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 apply only to  
such stock as may be issued, sold and de-  
livered on or before October 1, 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 24<sup>th</sup>  
day of June, 1921.

H. B. Brundage  
H. D. Leonard

D. B. Tamm

Commissioners.