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Decision No. 9312.

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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In the Matter of the Application of )  
SAN DIEGO AND ARIZONA RAILWAY COMPANY )  
for permission to sell certain of its )  
equipment consisting of rolling stock )  
and to mortgage certain of its real )  
estate. )

Application No. 6933

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BY THE COMMISSION:

FIRST SUPPLEMENTAL ORDER

The Railroad Commission having by Decision No. 9242, dated July 16, 1921, authorized SAN DIEGO AND ARIZONA RAILWAY COMPANY to assume the obligations under a certain proposed lease agreement and equipment trust agreement and having authorized the issue of equipment trust certificates for the purpose of enabling applicant to secure the use of additional equipment, subject among others, to the condition that none of the equipment trust certificates be delivered until the Railroad Commission by supplemental order has authorized the execution of the agreement securing the payment of the equipment trust certificates.

AND San Diego and Arizona Railway Company having filed with the Commission a copy of its proposed lease agreement and equipment trust agreement and also a copy of its proposed mortgage securing in part the payment of equipment trust certificates, the issue of which the Commission has heretofore authorized, and said lease agreement and equipment trust agreement and said mortgage being in satisfactory form;

IT IS HEREBY ORDERED, that SAN DIEGO AND ARIZONA RAILWAY COMPANY be, and it is hereby, authorized to execute a lease agreement, an equipment trust agreement and a mortgage substantially in the same form as the lease agreement, equipment trust agreement and mortgage filed in this proceeding, provided --

THAT, the authority herein granted to execute a lease agreement, an equipment trust agreement and a mortgage 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 lease agreement, equipment trust agreement and mortgage as to such other legal requirements to which said lease agreement, equipment trust agreement and mortgage may be subject.

IT IS HEREBY FURTHER ORDERED, that the order in Decision No. 9242, dated July 16, 1921, shall remain in full force and effect except as modified by this First Supplemental Order.

Dated at San Francisco, California, this 4<sup>th</sup> day of August, 1921.

H. B. Brundage

H. S. Leonard

J. F. Bennett

Commissioners.