

ORIGINAL

Decision No. 26848

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
MITCHELL SILLIMAN COMPANY)
for authorization and permission to) Application No. 15307
renew mortgage on real estate.)

BY THE COMMISSION:

FIRST SUPPLEMENTAL ORDER

WHEREAS, the Railroad Commission by Decision No. 20666, dated January 11, 1929, authorized Mitchell Silliman Company, a corporation, to execute a deed of trust and to issue a note in the principal amount of \$22,600.00 payable on or before five years after date of issue, with interest at not exceeding seven percent per annum, for the purpose of paying or refunding outstanding indebtedness, and

WHEREAS, the Commission now is advised that up to December 31, 1933 the note had been reduced to \$18,900.00 and that the company is desirous of refunding the balance due on said note, and

WHEREAS, O. P. Silliman, president of Mitchell Silliman Company in a sworn statement of February 21, 1934, states that the company now is operating the identical business without change of practice as it was at the time of said Decision No. 20666, and

WHEREAS, the Commission is of the opinion that it should enter its order permitting the company to issue its refunding note and that the money, property or labor to be procured or paid for

through such issue is reasonably required for the purpose specified herein, and that the expenditure for such purpose is not in whole, or in part, reasonably chargeable to operating expense or to income, now therefore,

IT IS HEREBY ORDERED, that Mitchell Silliman Company, a corporation, be, and it hereby is, authorized to execute a deed of trust and to issue its promissory note, to be secured by said deed of trust, in the principal amount of not exceeding \$18,900.00, payable on or before five years after date of issue, with interest at not exceeding seven percent per annum, for the purpose of paying or refunding outstanding indebtedness of like amount, provided,

1. That said deed of trust shall be substantially in the same form as that executed under authority granted by said Decision No. 20666, dated January 11, 1929, and now outstanding; and
2. That the authority herein granted to execute a deed of trust is for the purpose of this proceeding only, and is granted insofar as this Commission has jurisdiction under the terms of the Public Utilities Act and is not intended as an approval of said deed of trust as to such other legal requirements to which it may be subject; and
3. That within thirty (30) days after the execution of said deed of trust the company shall file a copy thereof with the Railroad Commission; and
4. That applicant shall keep such record of the note as will enable it to file within thirty (30) days thereafter a verified report, as required by the

Railroad Commission's General Order No. 24, which order, insofar as applicable, is made a part of this order.

IT IS HEREBY FURTHER ORDERED, that Mitchell Silliman Company be, and it hereby is, authorized to issue the aforesaid note, should it so desire, for a term of less than five (5) years and to renew it, and the deed of trust, from time to time for a total period of not exceeding five (5) years from the date of this order.

DATED at San Francisco, California, this 5th day of March, 1934.

C. C. [Signature]
Leon [Signature]
W. A. [Signature]
W. B. [Signature]
[Signature]
Commissioners.