

Decision No. 27778.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of MARKET STREET RAILWAY COMPANY, a corporation, to lease from Gough Street Railroad Company, a corporation, and the Application of GOUGH STREET RAILROAD COMPANY, a corporation, to lease to Market Street Railway Company, a corporation, certain street railroad property and franchise rights in the City and County of San Francisco and County of San Mateo.

Application No. 19816.

**ORIGINAL**

BY THE COMMISSION:

O R D E R

Market Street Railway Company, a corporation, has applied for authority to lease from the Gough Street Railroad Company certain railroad property and franchise rights in the City and County of San Francisco and the County of San Mateo, and Gough Street Railroad Company, a corporation, has requested authority to lease to Market Street Railway Company said property and franchise rights. Copy of a form of agreement covering the terms of said lease is attached to the application. The property and franchise rights involved consist of rights of way and franchises for street railway tracks now operated by Market Street Railway Company under the terms and conditions of an agreement entered into between said Gough Street Railroad Company and United Railroads of San Francisco, predecessor of Market Street Railway Company, which expired on or about January 1, 1932. In general, the lines covered by these rights of way and franchises are Sloat Boulevard line, the Visitacion Valley line, the tracks on 19th Avenue and 20th Avenue in the Parkside and Sunset districts, and the Parnassus Avenue and Ninth Avenue line.

Gough Street Railroad Company is not an operating company and all of its capital stock is owned by Market Street Railway Company. The lease to which approval is requested is in effect merely a continuation of a long existing arrangement and involves no financial or operating conditions other than those heretofore existing. It appears that a public hearing is not necessary herein and that the application should be granted.

IT IS HEREBY ORDERED that Market Street Railway Company is hereby authorized to lease from Gough Street Railroad Company, and Gough Street Railroad Company is hereby authorized to lease to Market Street Railway Company, in accordance with the terms of the form of agreement attached to the application and marked Exhibit "B", those certain parcels of property and franchise rights described in said Exhibit "B", subject to the following conditions:

- (1) Within thirty (30) days from its execution, applicant shall file with the Commission a certified copy of the agreement covering said lease as executed. Said agreement shall in all essential details be identical with Exhibit "B", attached to the application.
- (2) The authorization herein granted shall lapse and become void if not exercised within one (1) year from the date hereof, unless further time is granted by subsequent order.

The authority herein granted shall become effective on the date hereof.

Dated at San Francisco, California, this 25<sup>th</sup> day of February, 1935.

Leon Caldwell

M. J. Linn

M. B. Linn

W. H. Linn

Frank R. Linn

Commissioners.