

Decision No. 28209

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
THE MONTEREY COUNTY WATER WORKS
for (1) order authorizing the mort-
gage of public utility properties;
(2) order authorizing issuance and
sale of bonds.

ORIGINAL
Amended Application No. 20052

BY THE COMMISSION:

FIRST SUPPLEMENTAL ORDER

By Decision No. 28120 dated July 16, 1935 the Commission authorized The Monterey County Water Works to execute a trust indenture to secure the payment of \$660,000.00 of first mortgage 3% bonds due October 1, 1937. Applicant did not execute the trust indenture. On August 24, 1935 applicant filed a revised copy of its proposed trust indenture. The revised copy differs in several respects from the trust indenture authorized to be executed under the authority granted by said Decision No. 28120. Though the changes made are not important, it is doubtful whether under the order in said Decision No. 28120 applicant may execute its revised trust indenture. It therefore requests the Commission to enter a supplemental order authorizing applicant to execute a trust indenture substantially similar in form to that filed with the Commission on August 24, 1935. We have considered applicant's request, as well as its proposed trust indenture, and believe that applicant should be permitted to execute such instrument, therefore,

IT IS HEREBY ORDERED that The Monterey County Water Works be, and it hereby is, authorized to execute a trust indenture sub-

stantially similar in form to the trust indenture filed in this proceeding on August 24, 1935, provided that the authority herein granted is for the purpose of this proceeding only, and is granted only insofar as this Commission has jurisdiction under the terms of the Public Utilities Act, and is not intended as an approval of such trust indenture as to such other legal requirements to which said trust indenture may be subject.

IT IS HEREBY FURTHER ORDERED that the authority granted by the Commission in its order in Decision No. 28120 dated July 16, 1935 insofar as it authorizes applicant to execute a trust indenture be, and the same is hereby, vacated and set aside.

IT IS HEREBY FURTHER ORDERED that the order in said Decision No. 28120 dated July 16, 1935 shall remain in full force and effect, except as modified by this First Supplemental Order.

DATED at San Francisco, California, this 3rd day of September, 1935.

Leon Whiteley

M. J. C.

Frank P. ...

Commissioners.