

Decision No. 28785

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
A. NYSTROM and GAIL E. STATER,
doing business as a partnership under
the name and style of NAPA TRANSPORTA-
TION COMPANY(formerly known as Napa
Transportation & Navigation Company),
NAPA TRANSPORTATION COMPANY, a cor-
poration, NAHUM FAY, NERVIN FAY and
JOHN C. STONE for an order under the
provisions of Sections 51 and 52 of
the Public Utilities Act of the State
of California authorizing: (1) The
sale of the vessels THEODORE ROOSE-
VELT and CITY OF NAPA and of all the
other properties and of the business
of the partnership Napa Transporta-
tion Company; (2) Issuance of a note;
(3) Execution of a mortgage upon said
vessels and upon a 7/8ths interest in
other properties; and (4) Issuance of
capital stock of the Napa Transporta-
tion Company.

ORIGINAL

Application No. 20431

BY THE COMMISSION:

FIRST SUPPLEMENTAL ORDER

The Railroad Commission by Decision No. 28711, dated April 13, 1936, authorized Napa Transportation Company, a corporation, among other things, to execute a preferred mortgage of documented vessels and chattel mortgage substantially in the same form as that filed with the application in this proceeding as Exhibit "B", amended as indicated in the opinion in said decision.

The company now reports that it desires to execute a chattel mortgage of documented vessels, operative rights and other property in lieu of the preferred mortgage of documented vessels and chattel mortgage heretofore authorized. A copy of the proposed indenture, designated "Chattel Mortgage of Documented Vessels, Operative Rights and Other Property", was filed with the Commission in this proceeding on April 30, 1936, with the request that the Commission make its

supplemental order authorizing the execution of the same.

It appears to the Commission that the proposed indenture is in satisfactory form and that applicant's request should be granted, therefore,

IT IS HEREBY ORDERED that Napa Transportation Company, a corporation, be and it hereby is authorized to execute a "Chattel Mortgage of Documented Vessels, Operative Rights and Other Property" substantially in the same form as that filed in this proceeding on April 30, 1936 in lieu of the preferred mortgage of documented vessels and chattel mortgage heretofore authorized to be executed by Decision No. 28711, dated April 13, 1936, provided:-

1. 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 said "Chattel Mortgage of Documented Vessels, Operative Rights and other Property" as to such other legal requirements to which it may be subject; and
2. That the authority herein granted will become effective upon the date hereof.

DATED at San Francisco, California, this 4th day of May, 1936.

M. B. Harris
Leon Caldwell
W. H. Cum
W. H. Cum
Green R. [unclear]
Commissioners.