

Decision No. 39350

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

ORIGINAL

In the Matter of the Application
of Tide Water Associated Oil
Company for approval by the
Railroad Commission of renewal
of applicant's wharf franchise
at Gaviota, Santa Barbara County,
California.

Application No. 22236

BY THE COMMISSION:

ORDER APPROVING WHARF FRANCHISE

Applicant, by verified petition, asks this Commission to approve a proposed renewal of a wharf franchise to construct, maintain and operate a wharf extending over the waters of Santa Barbara Channel at Gaviota, Santa Barbara County, with a license to take tolls, for the term of twenty years.

Attached to the petition is a copy of a proposed application to the Board of Supervisors of Santa Barbara County, as well as a copy of a proposed ordinance.

Although the petition does not specifically allege that the wharf is to be used by applicant solely for its own private commercial purposes, we assume this to be the fact, and also assume that it is not intended that the public shall use the wharf or that tolls shall be collected. These assumptions are made because of the fact that applicant has not filed any rates, rules or regulations. Furthermore, the petitioner does not indicate an intent to engage in business as a public utility wharfinger, thus subjecting itself to the regulatory provisions of the Public

Utilities Act.

Approval of this Commission to the grant of a franchise of this character is required by section 4000 of the Harbors and Navigation Code. It appearing that approval should be given, and that public hearing is not required, IT IS ORDERED that approval is hereby accorded for the construction, operation and maintenance of a wharf by Tide Water Associated Oil Company in Santa Barbara County, as provided in the proposed ordinance of the Board of Supervisors of said County, attached to the petition herein, provided, that within twenty (20) days from the adoption of an ordinance in substantially the same form as that attached to the application, petitioner shall file a certified copy thereof in this proceeding.

Dated, San Francisco, California, October 10, 1938.

Robert Cochran
Stan Whitell
Frank [unclear]

Commissioners