

Decision No. 23428

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
MARKET STREET RAILWAY COMPANY,
a corporation, for an order authoriz-
ing the purchase of thirteen 36-
passenger and seven 32-passenger
Yellow Coaches and equipment pertain-
ing thereto, and the execution of a
conditional sales contract or contracts
in connection therewith.

Application No. 23428

ORIGINAL

BY THE COMMISSION:

OPINION AND ORDER

Market Street Railway Company, in this proceeding, has applied to the Railroad Commission for permission to enter into and execute in quadruplicate a conditional sales contract, or contracts, with Yellow Truck and Coach Manufacturing Company in substantially the form of the contract filed with the application herein as Exhibit B.

The proposed conditional sales contract, or contracts, will cover the purchase, at a cost of \$220,750.72, of thirteen 36-passenger and seven 32-passenger Yellow Coaches and certain equipment and parts pertaining thereto. Of the purchase price the sum of \$3,681.72 will be payable on or about May 15, 1940, and the sum of approximately \$3,681.00 on or about the fifteenth day of each month thereafter for a period of fifty-nine months, with interest at the rate of 3½% per annum on deferred payments, payable monthly.

The company reports that by Ordinance No. 510 (Series of 1939) of the City and County of San Francisco, passed by the Board of Supervisors on February 26, 1940, it was granted the right to operate automobile buses over and along certain routes and streets, which are specifically described in the ordinance. A copy of the ordinance is filed

in this proceeding as Exhibit A. It now desires to acquire the passenger coaches referred to herein to furnish the service authorized by the ordinance and it reports that it is unable to do so without the execution of the proposed conditional sales contract, or contracts.

The Commission has considered the company's request and is of the opinion that this application is not a matter in which a public hearing is necessary, that the money, property or labor to be procured or paid for through the execution of the conditional sales contract, or contracts, is reasonably required for the purposes specified herein, that the expenditures for such purposes are not, in whole or in part, reasonably chargeable to operating expenses or to income, and that the request of applicant should be granted, subject to the provisions of this opinion and order, therefore,

IT IS HEREBY ORDERED that Market Street Railway Company be, and it hereby is, authorized to execute, after the effective date hereof and on or before October 31, 1940, a conditional sales contract, or contracts, substantially in the form of the contract filed in this proceeding as Exhibit E, for the purpose of acquiring thirteen 36-passenger and seven 32-passenger Yellow Coaches, said conditional sales contract, or contracts, to provide for the payment of not to exceed \$220,750.72 for said coaches, said \$220,750.72 to be payable, as hereinbefore set forth, with interest at the rate of 3½% per annum on deferred payments.

IT IS HEREBY FURTHER ORDERED that the authority herein granted will become effective when Market Street Railway Company has paid the fee prescribed by Section 57 of the Public Utilities Act, which fee is Two Hundred and Twenty-one (\$221.00) Dollars.

IT IS HEREBY FURTHER ORDERED that within thirty (30) days after the execution of the conditional sales contract, or contracts, as authorized by this opinion and order, Market Street Railway Company shall file a copy thereof with the Railroad Commission.

DATED at San Francisco, California, this 30th day of April, 1940.

Ray L. Riley
Frank G. Harkin
Frank G. Harkin
M. B. Harkin
Justin J. Casner
Commissioners.

\$ 221⁰⁰

Ex # 1106
J. M. MacKinnon