

Decision No. 34353

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 authorizing the purchase  
of nine 36-passenger Yellow Coaches and  
equipment pertaining thereto, and the  
execution of a conditional sales con-  
tract or contracts in connection there-  
with.

ORIGINAL

Application No. 23704

BY THE COMMISSION:

OPINION AND ORDER

This is an application by Market Street Railway Company for permission to enter into and execute a conditional sale contract, or contracts, with Yellow Truck and Coach Manufacturing Company in substantially the form of the contract filed in this proceeding as Exhibit "E."

The proposed conditional sale contract, or contracts, will cover the purchase at the cost of \$102,094.47, of nine transit type coaches. The contract provides for the payment of \$1,703.61 on or before thirty days following the delivery of said equipment, and the payment in each and every month thereafter of \$1,701.54 until fifty-nine such payments have been made, with interest at the rate of 3 $\frac{1}{2}$ % on deferred payments, payable monthly.

The company reports that by Ordinance No. 763 (Series of 1939) of the City and County of San Francisco, passed by the Board of Supervisors on July 29, 1940, it was granted the right to operate automobile buses over and along certain routes and streets which are specifically described in said ordinance, a copy of which is filed in this proceeding as Exhibit "A." The buses it proposes to acquire are reported to be necessary to enable it to furnish the service authorized by the ordinance.

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

IT IS HEREBY ORDERED that Market Street Railway Company be, and it is hereby, authorized to execute, after the effective date hereof and on or before December 31, 1940, a conditional sale contract, or contracts, in, or substantially in, the same form as the contract filed in this proceeding and marked Exhibit "E" for the purpose of financing the cost of nine transit type coaches, said contract to provide for the payment of not exceeding \$102,094.47, payable as indicated herein.

IT IS HEREBY FURTHER ORDERED that the authority herein granted will become effective when applicant has paid the fee prescribed by Section 57 of the Public Utilities Act, which fee is One Hundred and Three (\$103.00) Dollars.

IT IS HEREBY FURTHER ORDERED that within thirty (30) days after the execution of the conditional sale contract, or contracts, as herein authorized, Market Street Railway Company shall file a copy thereof with the Railroad Commission of the State of California.

Dated at San Francisco, California, this 1<sup>st</sup> day of October, 1940.

Ray & Riley  
Frank J. Murray  
Ray & Riley  
Ray & Riley  
Justus J. Casseer  
Commissioners.

