

Decision No. 33955

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 contract or contracts in connection therewith.

ORIGINAL

Application No. 23704

BY THE COMMISSION:

FIRST SUPPLEMENTAL ORDER

Whereas, the Railroad Commission by Decision No. 33550, dated October 1, 1940, authorized Market Street Railway Company to execute, on or before December 31, 1940, a conditional sale contract, or contracts, payable in sixty monthly installments with interest at the rate of three and one-half per cent per annum, providing for total payments of not exceeding \$102,094.47, for the purpose of financing the cost of nine transit type coaches, such authority to become effective upon the payment by applicant of the fee of One Hundred and Three (\$103.00) Dollars prescribed by Section 57 of the Public Utilities Act; and

Whereas, Market Street Railway Company on October 3, 1940, paid the aforesaid fee of One Hundred and Three (\$103.00) Dollars; and

Whereas, the company now reports that the war defense work in which the vendor of the coaches is engaged, has made it

impossible for it to obtain the coaches as specified in its order, or to execute and enter into such conditional sale contract, or contracts, on or before December 31, 1940, and, in addition, has caused an increase in the total sale price of \$1,391.22, bringing the total contract price up to \$103,485.69; and,

Whereas, the company accordingly has requested that the order in Decision No. 33550 be amended so as to permit it to execute, on or before March 31, 1941, a contract, or contracts, calling for the payment of this larger sum, and

Whereas, the Commission has considered this matter and is of the opinion that the company's request should be granted, therefore,

IT IS HEREBY ORDERED that the order in Decision No. 33550, dated October 1, 1940, reading as follows:

"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."

be, and it hereby is, amended so as to read:

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 March 31, 1941, 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, or contracts, to provide for the payment of not exceeding \$103,485.69, 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 Four (\$104.00) Dollars.

IT IS HEREBY FURTHER ORDERED that the order in Decision No. 33550, dated October 1, 1940, shall remain in full force and effect except as modified by this First Supplemental Order.

Dated at Los Angeles, California, this 25th day of February, 1941.

[Signature]
[Signature]
[Signature]
Justus F. Calver
Frank R. Havenner
Commissioners

