

Decision No. 37480

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

ORIGINAL

In the Matter of the Application of
CITY TRANSFER AND STORAGE COMPANY
for authority to execute deed of
trust, promissory notes, and chattel
mortgages.

Application
No. 26423

BY THE COMMISSION:

O P I N I O N

City Transfer and Storage Company is a common carrier by motor vehicle operating under the jurisdiction of the Railroad Commission. For 1943, applicant reports operating revenues of \$637,954 and a net income of \$20,151. Its investment in tangible property is reported at \$406,214 and its depreciation reserve at \$126,046.52, leaving a net investment of \$280,167.48.

Applicant's petition shows that it inadvertently, without Commission authorization, issued eleven promissory notes of the aggregate face value of \$116,488.72, and executed a deed of trust and ten chattel mortgages to secure the payment of the notes. A copy of each note, a copy of the deed of trust, and a copy of each chattel mortgage are on file in this proceeding. All of the notes were issued to the Bank of America National Trust and Savings Association. On September 30, 1944, there was about \$89,952 due on the notes. The notes bear interest at the rate of

6% per annum and were issued for the purpose of paying indebtedness and acquiring equipment.

Applicant asks permission to re-execute said deed of trust, promissory notes and chattel mortgages, or consolidate the indebtedness into such number of promissory notes secured by a deed of trust and chattel mortgages as applicant and the bank may agree upon.

O R D E R

The Commission having considered the request of City Transfer and Storage Company and it being of the opinion that this is not a matter on which a hearing is necessary; that City Transfer and Storage Company has need for the money which it will obtain through the issue of the notes herein authorized for the purpose of refunding the indebtedness to which reference is made in this application and that this application should be granted, therefore,

IT IS HEREBY ORDERED as follows:

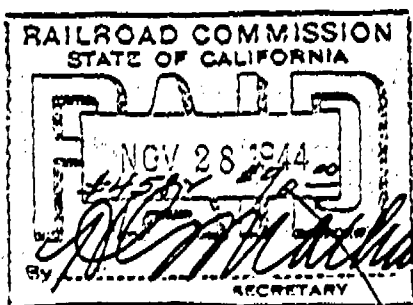
(1) City Transfer and Storage Company may, after the effective date hereof and on or before December 31, 1944, re-execute the deed of trust and chattel mortgages and reissue the notes referred to in this application for the purpose of refunding indebtedness evidenced by the notes heretofore issued, or in the alternative, consolidate the balance due on said notes by the issue of such number of promissory notes secured by a deed

of trust and by chattel mortgages as applicant and Bank of America National Trust and Savings Association may agree upon. The interest rate on said notes shall not exceed six per cent per annum.

(2) The authority herein granted will become effective when City Transfer and Storage Company has paid the fee prescribed by Section 57 of the Public Utilities Act.

(3) Within thirty (30) days after City Transfer and Storage Company exercises the authority herein granted, it shall file with the Railroad Commission a copy of each note issued, a copy of the deed of trust, and a copy of each chattel mortgage executed under such authority.

Dated at San Francisco, California, this 21st day of November, 1944.



Justice F. Cullen
Francis L. Havenner
Spencer Owen

Commissioners