

Decision No. 39807

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application
of Holmes Warehouse Company for Order
Authorizing the Encumbrance of
Applicant's Property.

)
:
) Application
No. 28079
:
)

OPINION AND ORDER

G. C. Holmes, applicant herein, is an individual engaged, under the firm name and style of Holmes Warehouse Company, in the operation of public warehouses in South Dos Palos, Mendota and Oxalis for the storage, primarily, of barley, rice, wheat and flax.

The application shows that during 1945 applicant constructed, at a cost of \$56,722.65, certain additional facilities including an elevator at South Dos Palos containing six bins of one hundred tons capacity each, and an elevator at Mendota containing eight bins of one hundred tons capacity each, and that to finance in part the cost thereof he issued two notes to First National Bank in Merced in the principal amount of \$20,000 each, payable in monthly installments of \$250 with interest at the rate of six percent per annum, and executed a deed of trust and chattel mortgage to secure the payment.

Applicant reports that although the notes by their terms ran for periods of more than one year, through inadvertence he overlooked the necessity of obtaining authorization from the

Commission, and that he now desires the Commission to make its order approving the execution and delivery of the notes, deed of trust, and chattel mortgage, said approval to be made effective as of January 22, 1945.

In our opinion we cannot at this time make our order effective, as requested, as of January 22, 1945. The order herein will authorize applicant to execute new instruments. The Commission is of the opinion that a public hearing is not necessary and that the money, property or labor to be procured or paid for through the issue of the notes is reasonably required for the purpose specified herein, which purpose is not, in whole or in part, reasonably chargeable to operating expenses or to income, therefore,

IT IS HEREBY ORDERED that G. C. Holmes, after the effective date hereof and on or before March 31, 1947, may issue two notes in the principal amount of not exceeding \$20,000 each, payable in monthly installments of \$250 each, including interest at the rate of six percent per annum, for the purpose of financing in part the cost of the elevators at South Dos Palos and Mendota, and to execute a deed of trust and a chattel mortgage in, or substantially in, the same form as those filed in this proceeding as Exhibit "C" and Exhibit "D", respectively.

IT IS HEREBY FURTHER ORDERED that the authority herein granted will become effective when G. C. Holmes has paid the fee prescribed by Section 57 of the Public Utilities Act.

IT IS HEREBY FURTHER ORDERED that within thirty (30) days after exercising the authority herein granted, G. C. Holmes

shall file with the Commission a copy of each note issued under such authority.

Dated at San Francisco, California, this 30th day of December, 1946.

Harold P. Hills
Justin Z. Casner
Leo H. Powell
P. I. [unclear]
Commissioners.

PUBLIC UTILITIES COMMISSION, STATE OF CALIFORNIA

