

ORIGINAL

Decision No. 42856

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application	)	
of THE EUREKA ICE & COLD STORAGE	:	
COMPANY for an order authorizing	)	Application
mortgage of real and personal	:	No. 29899
property.	)	
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ORDER

WHEREAS, The Eureka Ice & Cold Storage Company, pursuant to authority granted by the Commission by Decision No. 36444, dated June 22, 1943, issued its 5% promissory note in the principal amount of \$19,000, dated as of March 23, 1943, and due March 23, 1945, for the purpose of refunding outstanding indebtedness; and,

WHEREAS, The Eureka Ice & Cold Storage Company now reports that the principal amount of said note has been reduced to \$15,900, that said note is past due and that it does not have sufficient funds with which to pay the same; and,

WHEREAS, The Eureka Ice & Cold Storage Company now proposes, and in this application asks permission, to issue a new note for \$15,900 to Bank of America National Trust and Savings Association, to pay or refund said unpaid balance, and to execute a deed of trust and a mortgage of chattels to secure the payment thereof, said note to be payable three years after its date with interest at the rate of 5% per annum, payable monthly; and,

WHEREAS, the Commission has considered this application and is of the opinion that a public hearing thereon is not necessary, that the issue of said note is reasonably required by said company for the purpose of enabling it to pay or refund the balance due on said outstanding note, and that this application should be granted; therefore,

IT IS HEREBY ORDERED as follows:

1. The Eureka Ice & Cold Storage Company, after the effective date hereof and on or before February 28, 1949, may issue a note in the principal amount of not exceeding \$15,900, payable on or before three (3) years after its date of issue with interest at the rate of not exceeding 5% per annum, for the purpose of paying or refunding the unpaid balance of the note issued under the authority granted by Decision No. 36444, dated June 22, 1943, and to secure the payment of said note, may execute a deed of trust and a mortgage of chattels in, or substantially in, the same form as those filed in this proceeding as Exhibit "A" and Exhibit "B", respectively.

2. The Eureka Ice & Cold Storage Company shall file with the Commission, on or before March 15, 1949, a copy of the note issued and a copy of the deed of trust and a copy of the mortgage of chattels executed under the authority herein granted, together with a statement showing the purpose for which the proceeds of the note were expended.

3. The authority herein granted is effective on the date hereof.

Dated at San Francisco, California, this 28<sup>th</sup> day  
of December, 1948.

R. F. [Signature]  
Justice F. Craven  
Samuel [Signature]

Commissioners