

Decision No. 45573

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)	
of FORTIER TRANSPORTATION COMPANY,	:	Application
for authority to execute a chattel)	No. 32268
mortgage.	:	
-----)	

ORIGINAL

OPINION AND ORDER

Fortier Transportation Company, applicant herein, is a California corporation engaged as a petroleum irregular route carrier within the State of California and as a highway common carrier of general commodities, with certain exceptions, from San Francisco and Los Angeles on the one hand, to certain intermediate points on the other hand. In this application it reports that during 1950 it executed a chattel mortgage to Bank of America National Trust and Savings Association, together with a subsequent revision agreement thereto, under the terms of which it became indebted to said bank in the principal amount of \$325,000 plus interest at the rate of 4½% per annum, for the purpose of financing in part the cost of equipment, the total amount being payable in monthly installments over a period of less than twelve months with a final payment of \$235,813.70 due on April 19, 1951. It now asks permission to execute a new chattel mortgage providing for payment of the \$235,813.70 in 23 equal successive monthly installments of \$9,825.57, or more, plus interest at the rate of 4½% per annum payable monthly on the unpaid balance, with a final monthly installment of the entire balance of principal and interest then unpaid.

A review of applicant's financial statements filed with the Commission indicates that it does not have sufficient cash on hand to

meet the payment due on April 19, and that the execution of the new mortgage to pay or refund said amount is necessary. In the opinion of the Commission the money, property or labor to be procured or paid for is reasonably required by applicant for the purpose specified, which purpose is not, in whole or in part, reasonably chargeable to operating expenses or to income; therefore,

IT IS HEREBY ORDERED as follows:

1. Fortier Transportation Company, after the effective date hereof and on or before June 30, 1951, may execute a chattel mortgage, in substantially the same form as that filed in this proceeding, providing for the payment of the principal amount of not exceeding \$235,813.70, plus interest, for the purpose of paying or refunding outstanding indebtedness.
2. Applicant shall file with the Commission a copy of the chattel mortgage as executed under the authority herein granted within thirty (30) days after the date of the same.
3. 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 two hundred thirty-six (\$236.00) dollars.

Dated at San Francisco, California, this 17th day of April, 1951.

J. E. Anderson
Justice F. Coe
Arnold A. Hills
Francis J. Latta
John C. Mitchell
 Commissioners

