

ORIGINAL

Decision No. 48812

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
SAN MIGUEL FLOURING MILL CO.)
for authorization to execute evidence)
of indebtedness.)
-----)

Application
No. 34497

OPINION AND ORDER

This is an application for an order authorizing San Miguel Flouring Mill Co. to issue its promissory notes and to execute a deed of trust.

Applicant is a corporation engaged in business as a grain warehouseman in San Miguel. It reports that heretofore it has issued two promissory notes in order to finance the cost of bins and elevators for bulk grain storage, that one note in the principal amount of \$7,000 is payable to Bank of America National Trust and Savings Association five years after its date of issue with interest at the rate of 6% per annum, payment being secured by a deed of trust, and that the other note, in the principal amount of \$5,000, is unsecured and is payable to John P. Curtis five years after its date of issue, with interest at the rate of 5% per annum. The principal amount of the Bank of America note has been reduced to \$5,551.84 and of the note to John P. Curtis to \$3,000.

It appears that applicant did not obtain from this Commission authorization to issue these long-term notes nor to execute the deed of trust, but that its failure to do so was

through inadvertence and with no intent to evade the provisions of the Public Utilities Code. When applicant's attention was called to the provisions of the Public Utilities Code requiring Commission authorization, it filed this application for permission

to execute new documents in lieu of those now outstanding and in substantially the same form. ^{dated at San Francisco, California,} this 14 day of July, 1953.

The Commission has considered this matter and is of the opinion that a public hearing is not necessary, that the application should be granted, as herein provided, that the money, property or labor to be procured or paid for by the issue of the notes herein authorized is reasonably required by applicant for the purpose specified herein, and that such purpose is not, in whole or in part, reasonably chargeable to operating expenses or to income; therefore,

IT IS HEREBY ORDERED as follows:

1. San Miguel Flouring Mill Co., a corporation, on and after the effective date hereof and on or before December 31, 1953, may execute a deed of trust and may issue two promissory notes, one in the principal amount of not exceeding \$5,551.84 and the other in the principal amount of not exceeding \$3,000 to replace the deed of trust and notes now outstanding. The deed of trust and notes to be executed under this authorization shall be in, or substantially in, the same form as those filed in this proceeding.

2. San Miguel Flouring Mill Co. shall file with the Commission monthly reports as required by General Order No. 24-A, which order, insofar as applicable, is made a part of this order.