

Decision No. 57040

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
FORTIER TRANSPORTATION COMPANY, a
corporation, for authority to
execute a chattel mortgage.

Application No. 40160
(First Supplemental)

FIRST SUPPLEMENTAL ORDER

By Decision No. 56873, dated June 24, 1958, the Commission authorized Fortier Transportation Company to execute a chattel mortgage and to issue a note in the principal amount of not exceeding \$1,350,000 for the purpose of refinancing outstanding obligations. The Commission's order provided that the authorization thus granted would become effective when applicant had paid the fee prescribed by Section 1904(b) of the Public Utilities Code.

Applicant has not yet paid the fee for the reason that it seeks to modify its original plans and to refinance only \$660,688.90 of outstanding obligations. It therefore has made arrangements to execute a mortgage of chattels covering only a portion of its equipment and to issue a note for \$660,688.90 to be payable in 48 equal monthly installments of not to exceed \$13,764.14, plus interest at the rate of 5-1/2% per annum, payable monthly. Applicant has filed a supplemental application seeking approval of this revised program and an order authorizing it to issue a note in the principal amount of \$660,688.90 instead of \$1,350,000.

The Commission has given consideration to this supplemental application and is of the opinion that the company's request should be granted, that a public hearing is not necessary, that the money, property or labor to be procured or paid for by the issue of the note herein authorized is reasonably required 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. The Order in Decision No. 56873, dated June 24, 1958, hereby is vacated and set aside.
2. Fortier Transportation Company, on and after the effective date hereof and on or before December 31, 1958, may execute a mortgage of chattels and may issue a note in the principal amount of \$660,688.90 for the purpose of refinancing outstanding indebtedness, said mortgage of chattels and note to be in, or substantially in, the same form as those filed in this proceeding.
3. Within 30 days after executing said mortgage of chattels and note, applicant shall file with the Commission a copy of each as actually executed.

4. The authorization herein granted will become effective when applicant has paid the fee prescribed by Section 1904(b) of the Public Utilities Code, which fee is \$425.

Dated at San Francisco, California, this 29th day of July, 1958.

E. Lynn Fox
President

Arthur Mitchell

Leslie Watersman

Theodore J. Turner

Commissioners

