

ORIGINAL

Decision No. 58574

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application
of TIPCO WAREHOUSE CO., INC.
for authorization to execute
evidence of indebtedness.

Application No. 41171

OPINION AND ORDER

This is an application for an order authorizing Tipco Warehouse Co., Inc., a California corporation, to execute a deed of trust and to issue a note in the principal amount of not to exceed \$57,383.13.

Applicant is engaged in operating public warehouses at Gustine. In 1958, it executed a ten-year loan in the amount of \$61,521.55 for the purpose of refinancing indebtedness and of providing the cost of additional facilities.

It appears that applicant did not obtain authorization from the Commission to issue the \$61,521.55 note, or to execute the deed of trust securing the indebtedness, but that its failure to do so was through inadvertence and with no intent to evade provisions of the Public Utilities Code. Applicant reports an unpaid balance of \$57,383.13 at March 31, 1959, outstanding on said note, and it now proposes to execute a new deed of trust and to issue a new note to Bank of America National Trust and Savings Association, payable in monthly installments of not to exceed \$688.36, with interest on decreasing balances at a rate of not to exceed 5-1/2% per annum, in lieu of the instruments now outstanding.

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 note 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. Tipco Warehouse Co., Inc., a corporation, on and after the effective date hereof and on or before August 31, 1959, may issue a note in the principal amount of not to exceed \$57,383.13, bearing interest at a rate of not to exceed 5-1/2% per annum, and may execute a deed of trust for the purpose set forth in this application, which note and deed of trust shall be substantially in the same form as those filed in this proceeding as Exhibit B and Exhibit C, respectively.

2. Within 30 days after issuing the note herein authorized, applicant shall file with the Commission a copy thereof as actually issued.

3. The authority herein granted will become effective when applicant has paid the fee prescribed by Section 1904(b) of the Public Utilities Code.

Dated at San Francisco, California, this 16th day of June, 1959.

E. J. Fox
President
J. E. Butler
Marion H. Smith

Commissioners

