

Decision No. 126964.

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)	
THE FABIAN-CRUNAUER COMPANY,)	
a corporation, for an authorization)	Application No. 15639
to withdraw from the conduct of a)	
warehouse business.)	

Jacob Samuels and Oscar Samuels,
by A. D. Thomson, for applicant.

H. H. Briggs, for Dairy Feed Company,
an interested party.

BY THE COMMISSION:

O P I N I O N

In this proceeding The Fabian-Crunauer Company, engaged in the operation of a public utility warehouse business at Tracy and Bethany, asks permission to discontinue and withdraw from the conduct of such public utility warehouse business.

It is of record that applicant is the owner of a grain warehouse at Tracy, of a grain warehouse at Bethany, and of a hay warehouse at Bethany. These warehouses have been, almost in their entirety, used as an adjunct to the general merchandising business of The Fabian-Crunauer Company at Tracy and mainly for the storage of agricultural products belonging to the applicant or associates interested in the applicant's business, and for the storage of products of debtors of applicant, which products and/or the warehouse receipts evidencing them were taken as security by the applicant for the obligations of said debtors. It further appears that The Fabian-

Grunauer Company has discontinued its general merchandising business at Tracy.

The principal commodities which have been stored in the warehouses of applicant have been grain, beans and hay. The testimony shows that the amount of commodities offered for storage have been gradually declining and that this decline is due to the discontinuance of the growing of grain, beans and hay in the immediate vicinity of Tracy.

The Commission required applicant to notify all of its patrons of the hearing of this application. No one appeared at the hearing to protest the granting of the application.

The testimony of Frank S. Glass, President of the Dairy Feed Company and the Dairyman's Service and Sales Company, shows that the latter company contemplates to lease for a period of five years the grain warehouse of applicant at Tracy, and that it has caused to be organized the Dairy Feed Company, a California corporation, for the purpose of continuing a public utility warehouse business at Tracy. The record also shows that there is now a warehouse at Tracy which offers facilities for the storage of hay, and that the public utility warehouse business which the Dairy Feed Company intends to undertake will be conducted at the same rates as are now being charged by The Fabian-Grunauer Company.

Exhibit No. 1 shows that there are now in storage in applicant's warehouse 5310 sacks of grain and beans. Of this quantity of grain and beans in storage, 1656 sacks are for The Fabian-Grunauer Company and 3654 sacks for three outside customers.

Under the evidence submitted in this proceeding, it appears to us that there is no reason for requiring The Fabian-Grunauer Company to continue the operation of their public utility warehouses.

O R D E R

The Fabian-Grunauer Company having asked permission to withdraw from the conduct of its warehouse business, a public hearing having been held before Examiner Fankhauser on June 12th at Tracy, and no one appearing to protest the granting of this application, and it appearing further that facilities will be available for the storage of commodities, such as have been stored in applicant's warehouses, and the Commission further being of the opinion that this application should be granted,

IT IS HEREBY ORDERED, that The Fabian-Grunauer Company, a corporation, be, and it is hereby, authorized to withdraw from the conduct of its public utility warehouse business at Tracy and at Bethany, more particularly referred to in this application, provided that such authority will not become effective until a corporation organized under and by virtue of the laws of the State of California has filed warehouse rates and established a public utility warehouse business at the grain warehouse of applicant at Tracy.

DATED at San Francisco, California, this 17th day of June, 1929.

Thomas L. Leland

C. C. Seaman

Leon Whittell

M. J. Carr

Commissioners.