

Decision No. 21944 21944

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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In the Matter of the Application of)
LINCOLN FIREPROOF STORAGE COMPANY,)
& corporation, for authority to en-) Application No. 15821.
gage in the warehouse business.)

Samuel W. Newman, for applicant

L. A. Bailey, and

Gibson, Dunn & Crutcher, by Paul R. Watkins,
for California Warehousemen's Association
and Los Angeles Warehousemen's Association,
Protestants.

BY THE COMMISSION:

O P I N I O N

Lincoln Fireproof Storage Company, a corporation, makes application to the Railroad Commission for a certificate of public convenience and necessity to conduct a warehouse in the city of Los Angeles. Public hearings were held by Examiner Gannon at the conclusion of which the matter was submitted and is now ready for decision.

Applicant alleges that it has continuously maintained a warehouse at its present location since 1924 and that approximately fifty per cent of its space has been used by Platt Music Company for the storage of musical merchandise. According to the testimony of its manager, applicant company occupies two re-inforced concrete modern warehouse buildings conveniently located with reference to the manufacturing and industrial district north of the Plaza, and peculiarly adapted to the necessities of those engaged in the furniture

trade. These buildings afford 165,000 square feet of available space, of which 65,000 square feet are tied up under contract to the Platt Music Company, 88,000 square feet are presently leased to the public and 12,000 square feet idle. Applicant further alleges that it has had no tariffs on file with the Commission and is moved to apply for a certificate as a result of notice from the Commission that the conduct of its business as a public warehouse necessitated the application for, and granting of, a certificate.

At the adjourned hearing, applicant filed an amended application in which it prayed for the granting of a certificate limiting it to the storage of certain commodities listed in its Warehouse Tariff No. 3, filed with, and by reference made a part of, its amended application and referred to as Exhibit "A". With the filing of such amended application all protests were withdrawn.

We are of the opinion that the record herein justifies the granting of the application, as amended, and an order will be entered accordingly.

ORDER

Public hearings having been held in the above entitled proceeding, the matter having been submitted and being ready for decision,

THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA
HEREBY DECLARES that public convenience and necessity require
~~that~~ the granting of the above application, as amended, and

IT IS HEREBY ORDERED that a certificate of public convenience and necessity be granted to applicant, subject to the following conditions:

1. Applicant shall file within twenty (20) days from the date hereof a tariff published in accordance with the rules of this Commission setting forth the rates, rules and regulations which applicant proposes for the storage of commodities listed in its Exhibit "A" filed with, and made a part of, its amended application.
2. The rights and privileges herein authorized may not be discontinued, sold, leased, transferred nor assigned without the written consent of the Railroad Commission to such discontinuance, sale, lease, transfer or assignment.

Dated at San Francisco, California, this 23rd day of December, 1929.

Thomas G. Larkin

C. S. Sawyer

Ernest W. D.

Leon C. White

A. J. Lee
Commissioners.