

Decision No. 22065**ORIGINAL**

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 NEWTON & BIGGART)
 to sell and Antone P. Sota to pur-) Application No. 16233
 chase a warehouse at Gilroy, California.)

BY THE COMMISSION:

OPINION AND ORDER

In this application T. R. Biggart and Sam Newton, doing business under the firm name and style of Newton & Biggart, have applied for permission to sell to Antone P. Sota for \$500.00, their warehouse business and equipment consisting of platforms, hand trucks, platform scales, ropes, blocks, hooks, furniture and fixtures, etc.

The records of the Commission show that since 1926 Newton & Biggart have been engaged in the public utility warehouse business at Gilroy, operating under a tariff issued October 8, 1926, and effective October 9, 1926, naming rates and charges for the storage of farm products, canned fruits and vegetables, wool, furniture and household goods. The business has been conducted in properties leased from Mr. Irving Hollister who, it appears, is willing that the lease be assigned to Mr. Sota. The lease agreement has a remaining life of about four and one-half years and calls for the payment of a monthly rental of \$105.00.

The application indicates that Mr. Sota should be financially able to conduct the warehouse operations and that he will conduct said warehouse business at the same rates as are now charged by Newton & Biggart. We do not believe a public hearing is necessary in this matter and, therefore,

IT IS HEREBY ORDERED that T. R. Biggart and Sam Newton be, and they hereby are, authorized to transfer, for \$500.00, to Antone P. Sota the warehouse business and equipment referred to in this application.

The authority herein granted is subject to the following conditions:

(1) The price at which the properties and business are herein authorized to be transferred shall not hereafter be urged before this Commission or other public body or court as a measure of the value thereof for the purpose of fixing rates, or any purpose other than this transfer.

(2) T. R. Biggart and Sam Newton shall unite immediately with Antone P. Sota in common supplement to the tariffs now on file in the name of Newton & Biggart, applicants T. R. Biggart and Sam Newton on the one hand withdrawing and applicant Antone P. Sota on the other hand accepting and establishing as his own such tariffs and effective supplements, if any.

(3) The authority herein granted will become effective ten days after the date hereof.

DATED at San Francisco, California, this 30th day of January, 1930.

Al Seavey
Ernesto
Leon Whiteley
Paul Smith

Commissioners.