

Decision No. 22510

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of E. L. Anderson, doing business under the name of Kismet Warehouse and Sharon Warehouse; J. C. Nohrnberg and J. R. Gibbs, a co-partnership doing business under the name of Nohrnberg and Gibbs, Berenda Warehouse; C. N. Anderson, J. R. Gibbs and M. C. Phillips, a copartnership doing business under the name of Storey Warehouse Company; Conrad Shebelut, doing business under the name of Saunders Warehouse Co.; C. R. Shupe, doing business under the name of Shupe Warehouses; Rattlesnake Warehouse Company, a corporation; Talbot Warehouse Co., Inc., a corporation; through L. A. Bailey, their duly authorized agent, for an order establishing just, reasonable and uniform rates, rules and regulations.

ORIGINAL

Application
No. 16436.

BY THE COMMISSION:

SUPPLEMENTAL ORDER

L. A. Bailey, acting as agent for all applicants in this proceeding, has petitioned for a supplemental order modifying our Decision No. 22443 of May 17, 1930, to the extent of permitting the cancellation of the present individual tariffs of applicants and the establishing by them of the uniform rates contained in California Warehouse Tariff Bureau, Warehouse Tariff No. 6, C.R.C. No. 25.

The rates now proposed would bring about a reduction in the total charges, including weighing, for a 30-day storage from \$1.20 to \$1.15 per ton and would reduce the weighing out charge from 20 to 15 cents per ton. The total charge for a season of 12 months would be increased from \$1.45 to \$1.65 per

ton. These rates will establish uniformity in the charges at some 65 warehouses located in Madera, Merced, Fresno and Stanislaus counties. Witnesses appearing in protest at the hearing at Madera April 30, 1930, offered no objections to paying the same rates as now being charged in competitive territory under the Bureau Tariff.

Our opinion denying the application on the original record recited, among other things, that applicants were not operating their properties at a profit, that the proposed rates were not proven to be reasonable per se, and that the rates were not fairly adjusted when compared with those assessed at the warehouses in the adjoining counties. Through oversight effect was not given by the decision herein to applicants' request for certain named rates "and such other order as to the Honorable Commission may seem proper".

We are of the opinion, upon reconsideration, that the California Warehouse Bureau rates may properly be established at the warehouses of these applicants in Madera County and thus establish uniformity at practically all storage places in this territory. We will accordingly enter an order authorizing rates not in excess of those now in effect under the Bureau Tariff No. 6, C.R.C. No. 25.

O R D E R

Upon further consideration of the record in this proceeding and of applicants' petition for a supplemental order,

IT IS ORDERED that said order herein, dated May 17, 1930, be, and it is hereby, modified so as to read as follows:

"IT IS ORDERED that the applicants herein be and they are hereby authorized to cancel their present warehouse tariffs and to publish and file on less than

statutory notice new tariff or tariffs containing rates,
rules and regulations not in excess of those now in ef-
fect in Warehouse Tariff No. 6, C.R.C. No. 25 of the
California Warehouse Tariff Bureau."

Dated at San Francisco, California, this 5th day
of June, 1930.

Al Seaver
Emerson L. Smith
Wm. D. Smith

Commissioners.

California Warehouse Tariff Bureau

SECRET
STATE OF CALIFORNIA
DEPARTMENT OF REVENUE