

Decision No. 22885**ORIGINAL**

## BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application )  
of LOUIS G. SUTTON to lease to )  
DE PUE WAREHOUSE COMPANY his pub- )  
lic warehouses No.'s 2 and 3 at )  
Maxwell, California, for a term )  
of five years ending May 31, 1935. )

Application No. 16608

BY THE COMMISSION:

OPINION AND ORDER

This is an application under Section 51(a) of the Public Utilities Act filed jointly by Louis G. Sutton doing business under the fictitious name of Maxwell Grain Storage Warehouse and De Pue Warehouse Company for an order granting the transfer of the public utilities warehouse business and equipment used in its operation to the De Pue Warehouse Company and authorizing the latter company to lease warehouses numbers 2 and 3 located at Maxwell, California for a period of five (5) years and one (1) month commencing with the first day of May 1930 and ending with the thirty first day of May 1935, the transfer and lease to be in accordance with an agreement of lease marked Exhibit "A" which exhibit is attached to the application herein and made a part hereof.

The properties to be leased are one story buildings designated as warehouses numbers 2 and 3. The former is a frame building with corrugated iron roof 230 feet long, 50 feet wide and 16 feet in height, and the latter a corrugated iron building 550 feet long, 50 feet wide and 16 feet in height.

The records show the warehouses have been operated under the provisions of Maxwell Grain Storage Warehouse Tariff No. 7, C.R.C. No. 7 effective December 10, 1929 lawfully on file with the Commission. The De Pue Warehouse Company will continue to operate the warehouses as a public utility according to the rates, rules and regulations shown in that tariff.

The lessee is an experienced warehouseman and the proposed transfer will not result in any curtailment of service nor change in rates now being assessed.

We are of the opinion that this is a matter not requiring a formal hearing and that the application should be granted, therefore

IT IS HEREBY ORDERED that the above application be and the same is hereby granted, subject to the following conditions:

1. The consideration to be paid for the lease of the property herein authorized shall never be urged before this Commission or any other rate fixing body as a measure of value of said property for rate fixing, or any purpose other than the lease herein authorized.
2. Applicant Louis G. Sutton shall immediately unite with applicant De Pue Warehouse Company in a common supplement to the tariffs on file with the Commission, applicant Louis G. Sutton on the one hand withdrawing, and applicant De Pue Warehouse Company on the other hand accepting and establishing such tariffs and all effective supplements thereto.
3. The rights and privileges herein authorized may not be sold, leased, transferred nor assigned, nor service thereunder discontinued, unless the written consent of the Railroad Commission to such sale, lease, transfer, assignment or discontinuance has first been secured.

Dated at San Francisco, California this 17th day  
of July 1930.

[Signature]  
[Signature]  
[Signature]  
COMMISSIONERS.