

Decision No. 23438

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of Suspension by)	
the Commission on its own motion)	
of Supplement No. 1 to City and)	CASE NO. 2987
Harbor Warehouse Ltd. Warehouse)	
Tariff No. 1, C.R.C. No. 1.)	

Faries & Williamson, by Edwin Heizman,
for City and Harbor Warehouse, Ltd.

Leroy M. Edwards, for Los Angeles
Warehousemen's Association,

CARR, Commissioner.

OPINION

On January 15, 1931, the Commission, by order, suspended Supplement No. 1 to City and Harbor Warehouse, Ltd., Tariff No. 1, C.R.C. No. 1. The supplement suspended provided a somewhat complicated system of discount based both on volume storage and on the height at which stored articles were piled. The filing of this supplement was protested by Los Angeles Warehousemen's Association, on various grounds.

The matter was set down for hearing on February 17, 1931, at which time, City and Harbor Warehouse, Ltd., asked permission to withdraw its Supplement No. 1, and to file its Supplement No. 3, canceling its Supplement No. 2, and in lieu of Supplement No. 1 under suspension.

Supplement No. 3 contemplates the same general idea of discount as the suspended Supplement No. 1, but is clarified in many particulars, and does not apply to storages of less than two hundred (200) tons. Los Angeles Warehousemen's Association, which protested Supplement No. 1, stated that Supplement No. 3 was unobjectionable.

In order to facilitate the early establishment of the reduced rate, this Supplement No. 3 will be permitted to become effective February 25, 1931, with the understanding that respondent herein will be required to reissue the same within sixty (60) days, adding a foot-note to Rule No. 1-H reading substantially as follows:

"In no case shall the storage charges for commodities stored under the provisions of Rules 1-H and 1-I be greater for a smaller than for a larger quantity of the same commodity."

Also clarify Rule 1-I to specifically designate upon which rate the discount, based upon the height of the pile, will apply, i.e., will it be taken off the regular tariff rate or after the rate has been reduced by the application of Rule 1-H.

I recommend the following form of order:

O R D E R

Public hearing having been had in the above entitled matter, and the matter being submitted,

IT IS HEREBY ORDERED that City and Harbor Warehouse, Ltd., is authorized to withdraw and cancel its Supplements Nos. 1 and 2, and to file, effective February 25, 1931, its Supplement No. 3.

IT IS HEREBY FURTHER ORDERED that the order of suspension of January 15, 1931, suspending Supplement No. 1 to City

and Harbor Warehouse, Ltd., Tariff No. 1, C.R.C. No. 1, be and it is hereby vacated and set aside as of February 25, 1931.

IT IS HEREBY FURTHER ORDERED that this proceeding be and it is hereby discontinued.

The effective date of this order shall be February 25, 1931.

The foregoing order and opinion are hereby adopted as the order and opinion of the Commission.

Dated at San Francisco, California, this 24th day of February, 1931.

C. L. Seaver
Leon Whitell
W. H. C. C.
M. B. Harris
Fred G. Stewart
Commissioners.