

ORIGINAL

Decision No. _____.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the matter of the application of)
WHITE & CROWELL, a co-partnership, } Application No. 2114.
to increase rates.)

BY THE COMMISSION.

O P I N I O N.

This is an application of W. T. White and F. E. Crowell, doing business as co-partners under the name and style of White & Crowell in the town of Livingston, Merced County, for authority to increase certain storage rates. Applicants, among other lines of business, are engaged in the operation of a public warehouse in Livingston for the storage of grain, cereals, beans, dried fruits and other farm products.

A public hearing was held in Livingston April 13, 1916. From the evidence it appears that applicants' rates for the storage of "grain, wheat, barley, oats, rye, Gyp. corn and other cereals" is as follows:

	<u>Per Ton.</u>
To September 1st.....	50¢
To January 1st.....	75¢
For the season ending June 1st..	\$1.00
Loading on cars from the wagon	
after weighing.....	25¢

Applicants several years ago stored dried fruits and last year stored beans under the grain schedule, but found the rate too low and have asked for permission to file a separate schedule for beans, dried fruits and raisins.

Applicants now ask authority to establish the following rates: For the storage of grain, wheat, rye, barley, oats, Egyptian corn and other cereals, 50¢ per ton for the first month counting from receipt of the first load; 25¢ per ton additional for the second month, and for the remainder of the storage season to and including June first an additional 25¢; for shipping grain through the warehouse and weighing the same, per ton 50¢; for resacking grain, the actual costs of sacks and labor; for storage of beans, dried fruits and raisins for the season or portion thereof ending June first \$1.00 per ton.

From the evidence it appears that beans and dried fruits are not only of considerably more value per ton than grain but they are stored in much smaller quantities, necessitating as a rule separate storage in small lots, thus in effect decreasing the capacity of the warehouse.

From all the evidence introduced we find that applicants should be allowed to increase their rates as hereinafter set forth. In this connection we might call attention to the fact that although applicants served notice of the hearing of this application by mailing a copy of the notice to each of their present patrons, not one appeared as a protestant against the proposed increase, and applicants further testified no objections to the proposed increase had been made to them. We do not think, however, that applicants should be allowed to charge more than 35¢ for shipping grain through their warehouse and weighing the same, and we further feel that under the rates hereinafter authorized they should make no additional charge for ordinary resacking.

As to the rates for the storage of fertilizers, applicants have never thus far received any fertilizer for storage, and, accordingly, they may file with this Commission the rate

requested without obtaining an order authorizing the same.

O R D E R.

W. T. WHITE and F. E. CROWELL, conducting a warehouse business in Livingston as co-partners under the name and style of WHITE & CROWELL, having applied to this Commission for an order authorizing an increase in rates for the storage of certain commodities as set forth in the foregoing Opinion, and a public hearing having been held upon said application, and the same having been submitted and being now ready for decision,

WE HEREBY FIND AS A FACT that the existing rates are non-compensatory and unreasonable, and that the rates hereinafter authorized are just and reasonable.

Basing our conclusion upon the foregoing finding of fact and upon the further findings of fact contained in the Opinion which precedes this Order,

IT IS HEREBY ORDERED that applicants be and they are hereby authorized to establish and collect the following rates, viz:

For weighing and shipping any commodity
through the warehouse, per ton.....35¢

For storage of wheat, barley, oats, rye,
Egyptian corn and other grain and cereals:

For the first month.....50¢
For the first two months...75¢
For the season to the
first day of the follow-
ing June.....\$1.00

For storage of beans, dried
fruits and raisins, per season
or portion thereof to the first
day of the following June.....\$1.00

IT IS HEREBY FURTHER ORDERED that the collection of these rates shall be conditioned upon the rendering of first-class service as heretofore given, such as receiving, weighing, piling, carrying in storage and such other service as is customary for warehousemen similarly situated to give, and in addition thereto all necessary and ordinary resacking, including the furnishing of sacks or otherwise placing the commodity stored in proper condition for shipment.

IT IS HEREBY FURTHER ORDERED that the rates herein authorized shall not become effective earlier than June 1, 1916, nor unless applicants shall within thirty (30) days from the date of this order file with this Commission the schedule of rates herein authorized.

Dated at San Francisco, California, this 21st.
day of April, 1916.

Max Thelen

H. H. Howard

W. L. Gordon

Commissioners.