

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the matter of the petition of the Metropolitan Warehouse Company and various other warehouse companies to increase their rates for storing and handling commodities.

Applications 16 to 25 inclusive and 28.

C. W. Durbrow for Petitioners.

DECISION.

Eshleman, Commissioner.

These are applications on behalf of the Metropolitan Warehouse Company, Barneson-Hibbard Warehouse Company, A. P. Heise, Harbor Warehouse Company, Oriental Warehouse Company, Haslett Warehouse Company, South End Warehouse Company, E. G. Zeile, W. B. Sanborn, De Pue Warehouse Company and Danforth Warehouse Company to raise and equalize the rates that were in effect on October 10, 1911.

This case came on for hearing on the 3rd day of June, 1912, after notice duly published in accordance with this Commission's order in "The Recorder" and "San Francisco Examiner". No one appeared in formal opposition thereto, but Mr E. W. Ferguson appeared informally in behalf of himself as a dealer in flour and protested against the increases, and several other dealers in flour have written letters to the same effect, but did not appear in person to protest or to present any facts in support of their allegations. The Shredded Wheat Company also filed a letter protesting against any increases in their rates but on inspection of the application, it appears that no request is made to increase any of the rates on cereals. Very careful compilations were filed on behalf of the various petitioners showing the cost to them of each square foot of floor space, the cost of handling and the return which the proposed rates would yield. Likewise statements were submitted showing that in almost every instance

these warehouses have lost money during the last several years. Tabulations were also filed showing that the proposed rates are in general as low or lower than rates for corresponding service in other Pacific Coast Seaports and in Eastern commercial centers.

Regardless of the importance of this case and the full invitation on the part of the Commission that those interested in the payment of storage charges appear and present evidence to the Commission, except in the instances heretofore referred to, no evidence whatsoever was presented in opposition to these applications. I find that it is either necessary that I accept the uncontroverted statement of the warehousemen and grant these applications or advise the Commission to assume the burden, on its own behalf, of testing the correctness of the evidence presented, by an investigation carried on under its direction. I do not think we should resort to the second course under the circumstances of this case, unless the Commissioner hearing the case doubts the substantial correctness of the testimony adduced. It would certainly appear that the patrons of these warehouses, knowing that substantial increases are applied for, would take sufficient interest in the proceeding to appear and present their side of the case, and their failure to do so leads me to conclude that they, like myself, have been impressed with the justice of the warehousemen's claims. I do not feel disposed to call in question the sworn statements of the several witnesses who appeared before me, and I have no reason to doubt that the conditions are exactly as portrayed in the evidence, and, if such be the case, justice demands that the relief sought be granted.

The schedules set out in the various applications, particularly in the application of the Metropolitan Warehouse Company and marked "Exhibit A", is hereby established to become effective twenty days from date as just and reasonable

