

Decision No. 25986

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application
of the PACIFIC TRANSPORTATION COMPANY } Application
for authority to warehouse additional } No. 18796
commodities. }

Phil Jacobson for applicant.

Le Roy M. Edwards, for Los Angeles Warehousemen's
Association, protestant.

E. E. Bennett, for Overland Terminal Warehouse
Company, protestant.

R. E. Wedekind, for Union Terminal Warehouse,
protestant.

BY THE COMMISSION -

OPINION

ORIGINAL

By our Decision No. 21652 of December 2, 1929, O. C. Butler and E. A. Grundy, doing business under the fictitious name of Pacific Transportation Company, were authorized to conduct a public utility warehouse business at 825 East 62nd Street, Los Angeles. The authority granted was limited as to commodities and did not include the storage of mechanical refrigerators, dry goods, rugs, carpet, groceries, hardware, building material, steel products, paper, printed matter and advertising display matter. Permission to store these commodities is sought in the instant proceeding.

A public hearing was held at Los Angeles before Examiner Kennedy, May 4, 1933, and the matter submitted.

Applicant has available for warehousing about 8000 square feet of space in a one-story Class "B" building. Only about one quarter of this space is required by its present warehousing business. It also engaged in the transportation of property by auto truck between Los Angeles and Los Angeles Harbor under a certificate of public convenience and necessity issued by this Commission.

Applicant testified that requests for warehousing of the commodities enumerated were frequently made by parties for whom it transported shipments and for whom it now stores other articles. It contends that to be able to give such parties a complete trucking and warehousing service would be a great convenience. Three witnesses testified that they preferred to have applicant do their storing, and that to have the party performing the trucking service also perform the warehousing would facilitate the handling of the goods. Applicant stressed the location of its warehouse, but did admit that as to many commodities other warehouses were really more favorably located, and that there were very few storers in the immediate district who had requested storage service. The proposed rate is 6 cents per square foot regardless of the nature of the commodity or the manner in which it is piled.

Protestants pointed out that empty space in Los Angeles warehouses exceeds occupied space by about 40 percent; that with few exceptions operations are being conducted at substantial losses, and that there is a warehouse within two blocks of applicant's suitable for the storing of any merchandise that is offered.

The record does not disclose any need for additional warehousing facilities. The mere showing of convenience to a warehouseman or to certain of its patrons does not constitute "public convenience and necessity." In the Matter of the Application of the Motor Transit Co. et al., 21 C.R.C. 509, 513. The application will be denied.

Applicant admitted that it now does store and for some time past has stored the articles for which it here seeks authority. Unless this practice is discontinued immediately the Commission will take such further action as the circumstances may justify.

O R D E R

This application having been duly heard and submitted,
IT IS HEREBY ORDERED that Application No. 18796 be and
it is hereby dismissed.

Dated at San Francisco, California, this 29th day of
May, 1953.

C. C. Lundy

W. P. Linn

W. S. Harris

W. H. [Signature]
COMMISSIONERS.