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Decision No. 20046

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of West Coast Wharf & Storage Co. for a certificate of public convenience and necessity to operate a warehouse and bulk elevator for the storage of other commodities in addition to the present right for the storage of grain in the City of Oakland, County of Alameda, and to adjust the current rates on grain.

ORIGINAL

Application No. 20487

BY THE COMMISSION:

O P I N I O N

By amended application filed May 29, 1936, West Coast Wharf and Storage Company, a corporation engaged in the business of warehouseman in the City of Oakland for the storage of grain only, seeks a certificate of public convenience and necessity authorizing it to store all commodities in its bulk elevators, and rice, grain by-products, feeds, fertilizers and certain other commodities in sacks in its flat warehouse space.

Applicant's existing rights, acquired from the Oakland Elevator and Mill Company under authority granted by this Commission in its Decision No. 28315 of November 4, 1935, in Application No. 20230, permit the storage of grain only. However, applicant represents that there is now a public desire and need in the community for an elevator service for the storage of all commodities that are suitable for such bulk storage, and that while essentially its business consists of storing grain in bulk, public convenience and necessity require that warehouse space for the storage of sacked commodities be also maintained.

A number of warehousemen in the vicinity of applicant's facilities have been notified and have offered no protest to the granting of this application. It appears, moreover, that there are no warehousemen providing bulk elevator service for the storage of all commodities in or contiguous to the cities of San Francisco or Oakland.

Applicant has attached to its application, as Exhibit "A" thereof, a proposed schedule of rates and charges. This schedule also proposes certain changes in applicant's present tariff for the storage and handling of grain, resulting in both increases and reductions.¹

Applicant alleges that its present tariff is unduly restricted; that the proposed adjustments will provide a tariff based on charges of agricultural warehousemen in the grain producing districts of the State; and that the proposed charges are necessary as minima if applicant is to have fair opportunity to overcome previous operating losses.

Upon consideration of all the facts of record, we are of the opinion that this is a matter in which a formal hearing is not necessary; that public convenience and necessity require the service proposed by applicant; that the certificate sought should be issued; and that the proposed schedule of charges, in so far as it results in increases in existing charges, has been justified.

ORDER

The Railroad Commission of the State of California hereby declares that public convenience and necessity require that the West Coast Wharf and Storage Company transact the business of a warehouseman in its present facilities in the city of Oakland, for the storage in bulk in its elevators of all commodities that are suitable for such bulk storage, and for the storage of the following commodities, but no others, when stored in sacks, namely:

¹ Most of the increases appear to be of minor importance and largely technical in nature, and include an increased charge for labor furnished at other than regular business hours, an increase of 1 cent per ton per day for storage on empty sacks, and an extra charge for delivering lots of less than 5 tons.

- (a) Paddy rice.
- (b) Grain Products, viz: barley, corn, oats, rye, sorghum, grain or wheat, cracked, crushed, ground, chopped, rolled or hulled.
- (c) Malted grain.
- (d) Seeds, viz: canary, flax, hemp, millet, peas, rape, sunflower or vetch, (but not to include garden or flower seeds).
- (e) Dried beans.
- (f) Feed, viz: animal or poultry, including mill feeds, oil cake meals, meat scraps or oyster shell.
- (g) Fertilizers, not including manures.
- (h) Screenings when derived from other merchandise received.
- (i) Sacks used (loose or in bales) when taken from other merchandise received.

IT IS HEREBY ORDERED that a certificate of public convenience and necessity for such business be and it is hereby granted to West Coast Wharf and Storage Company, subject to the following conditions:

1. Applicant shall file in duplicate within a period not to exceed twenty (20) days from the date hereof a tariff containing rates and rules which in volume and effect shall be identical with those submitted with the amended application herein, or satisfactory to the Commission, and shall commence operation of said service within a period not to exceed thirty (30) days from the date hereof.
2. The rights and privileges herein authorized may not be discontinued, sold, leased, transferred nor assigned unless the written consent of the Railroad Commission to such discontinuance, sale, lease, transfer or assignment has first been secured.

Dated at San Francisco, California, this 17th day of

August 1936.

M B Lewis
Leon Campbell
M A Cunn
William H. Mason
Robert B. Brown
 Commissioners.