

Decision No. 29776

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
IMPERIAL VALLEY WAREHOUSE CO.)
to sell and WILLIAMS BROS. GRAIN AND)
MILLING CO. to purchase the building,)
including machinery and contents,)
located at Imperial, California.)

Application No. 21043

ORIGINAL

BY THE COMMISSION:

FIRST SUPPLEMENTAL ORDER

The Railroad Commission by Decision No. 29608, dated March 22, 1937, authorized A. V. Jester, Frank Teggart and F.G. Lewis, co-partners doing business under the firm name and style of Imperial Valley Warehouse Co. to transfer to Williams Bros. Grain and Milling Company, a corporation, certain real property and a warehouse building located at Imperial, California, and authorized Williams Bros. Grain and Milling Company in part payment thereof to issue six per cent promissory notes in the aggregate principal amount of \$11,000.

The authority granted by the Commission was to become effective upon the payment by Williams Bros. Grain and Milling Company of the minimum fee of Twenty-five(\$25.) Dollars prescribed by Section 57 of the Public Utilities Act. The fee has not been paid and therefore the authority granted by said Decision No. 29608 has not become effective. The Commission, since entering its order in said Decision No. 28608, has been advised that Williams Bros. Grain and Milling Company does not desire to engage in the public warehouse business and that it was its intention to acquire the warehouse building from the co-partnership for its own uses. The co-partnership has reported its warehouse business being conducted at a loss and the Commission, good cause being shown,

accordingly on May 5, 1937, authorized it to withdraw from its public utility operations.

It therefore now appears that the properties of the co-partnership may be transferred to Williams Bros. Grain and Milling Company without permission from this Commission and that there is no necessity on the part of the corporation to proceed under the authority granted by Decision No. 29608 nor to pay the fee prescribed therein, therefore,

IT IS HEREBY ORDERED that Decision No. 29608, dated March 22, 1937, be and it hereby is vacated and set aside.

DATED at San Francisco, California, this 12th day of May, 1937.

Frederick R. Blum
Raymond A. Kelley
Raymond A. Kelley
Commissioners.