

Decision No.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
Homer R. Peart and Audrey H. Peart DBA
Harvester Grain and Elevator Co. to sell
and R. F. Schmeiser to buy the storage
elevators and equipment located at
Angiola, California, operated by the
said Homer R. Peart, and known as the
Harvester Grain and Elevator Company.

ORIGINAL

Application No. 23527

BY THE COMMISSION:

OPINION AND ORDER

This is an application for an order of the Railroad Commission authorizing Homer R. Peart and Audrey H. Peart to sell to R. F. Schmeiser, for the sum of \$11,450, certain warehouse property and equipment located at Angiola, Tulare County, such sale to be in accordance with the terms of an agreement filed in this proceeding as Exhibit "A."

It appears that Homer R. Peart and Audrey H. Peart, doing business under the firm name and style of Harvester Grain & Elevator Co., are engaged in operating a public utility warehouse building, for the storage, primarily, of wheat and barley, located at Angiola upon land leased from Atchison, Topeka & Santa Re Railway Company. They report their investment in the warehouse building, equipment and other properties, as of December 31, 1939, at \$13,952.50 and the value thereof at \$11,450, the amount of the proposed consideration to be paid by R. F. Schmeiser.

The Commission has considered this matter and is of the opinion that a public hearing is not necessary and that the request of applicants should be granted, as herein provided, therefore

IT IS HEREBY ORDERED that Homer R. Peart and Audrey E. Peart, doing business under the firm name and style of Harvester Grain & Elevator Co., be, and they hereby are, authorized to sell to R. F. Schmeiser, on or before December 31, 1940, the warehouse properties and equipment referred to in this proceeding, such sale to be in accordance with the terms and conditions of the agreement filed in the proceeding as Exhibit "A," provided;

1. That the consideration to be paid for the properties and equipment herein authorized to be transferred shall never be urged before this Commission, or other public body, as a measure of value of said properties and equipment for rate fixing or any purpose other than the transfer herein authorized;

2. That applicants herein, within twenty days after the effective date of this order, shall join in a common supplement to the tariffs now on file with the Commission in the names of the sellers, applicants Homer R. Peart and Audrey E. Peart, on the one hand, withdrawing, and applicant R. F. Schmeiser, on the other hand, accepting and establishing as his own such tariffs and all effective supplements thereto; and

3. That the authority herein granted shall become effective upon the date hereof.

Dated at San Francisco, California, this 24th day of September, 1940.

Ray & Wiley
Franklin
Ralph Baber
H. H. H. H.
Justin J. Craven