

Decision No. 34342

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application
of J. B. Hill Company for the
authorization of sale of the
Tulare Lake Elevator, Stratford,
California.

Application No. 24209

BY THE COMMISSION:

OPINION AND ORDER

By this application J. B. Hill Company, a corporation, seeks authority to sell, and Glen C. Harnish, Earl A. Harnish and Lloyd A. Harnish, copartners doing business as Harnish Brothers Ranching Company, propose to purchase and operate designated public utility warehouse property located at Stratford, and known as the "Tulare Lake Elevator." No change in the tariff rates nor in the service to the public is proposed. The consideration to be paid is \$15,000, \$8,100 of which represents the unpaid balance on a mortgage made by J. B. Hill Company to the General American Life Insurance Company, payable in annual installments of \$900 on January 1 of each and every year until paid, with interest at the rate of six per cent per annum, which indebtedness the copartners propose to assume. (1)

The Commission has not authorized the issue of the note or the execution of the mortgage. This authority will be granted by this Opinion and Order.

(1) The balance of \$6,900 will be paid in cash.

It appears that this is a matter in which a public hearing is not necessary. The application will be granted as provided herein.

Therefore, good cause appearing,

IT IS HEREBY ORDERED that J. B. Hill Company, a corporation, be, and it is hereby, authorized to transfer its public utility warehouse property, located at Stratford and known as the "Tulare Lake Elevator," to Glen C. Harnish, Earl A. Harnish and Lloyd A. Harnish, copartners doing business as Harnish Brothers Ranching Company, subject to the following conditions:

1. That the consideration to be paid for the property herein authorized to be transferred shall never be urged as a measure of value of said property for rate fixing purposes or any purpose other than the transfer herein authorized.
2. That J. B. Hill Company, a corporation, and Glen C. Harnish, Earl A. Harnish and Lloyd A. Harnish, copartners doing business as Harnish Brothers Ranching Company, shall within sixty (60) days from the effective date of this order, and on not less than five (5) days' notice to the Commission and to the public, unite in common supplement to the tariff on file with the Commission covering service as a warehouseman at Stratford, applicant J. B. Hill Company withdrawing, and applicants Glen C. Harnish, Earl A. Harnish and Lloyd A. Harnish accepting and establishing the tariff as their own.
3. That the property herein authorized to be transferred may not be sold, leased, transferred or assigned, nor shall service as a warehouseman be discontinued, unless the written consent of the Railroad Commission to the sale, lease, transfer, assignment or discontinuance has first been secured.

IT IS HEREBY FURTHER ORDERED that J. B. Hill Company and/or Glen C. Harnish, Earl A. Harnish and Lloyd A. Harnish, copartners doing business as Harnish Brothers Ranching Company,

may, for the purpose of financing the acquisition of warehouse properties, issue a note to the General American Life Insurance Company for the sum of not exceeding \$9,000, with interest at 6% per annum, said principal being payable in annual installments of \$900, and execute a chattel mortgage on warehouse and other equipment to secure the payment of said note. In the event said note is issued by J. B. Hill Company, said Harnish Brothers Ranching Company may assume the payment of said note. The Commission finds that applicants have need for the money they will realize through the issue of said note for the purpose herein stated.

IT IS HEREBY FURTHER ORDERED that the authority herein granted will become effective when J. B. Hill Company and/or said Harnish Brothers Ranching Company have paid the minimum fee prescribed by Section 57 of the Public Utilities Act, which minimum fee is Twenty-five (\$25.00) Dollars.

IT IS HEREBY FURTHER ORDERED that said Harnish Brothers Ranching Company shall within sixty (60) days after the date hereof file with the Railroad Commission a copy of said note and a copy of said chattel mortgage.

Dated at San Francisco, California, this 24th day of June, 1941.

[Signature]
[Signature]
Justin F. Caswell
Frank L. Hovey
[Signature]
Commissioners

