

34566

Decision No. _____

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
C. B. Carter, doing business as)
Wilmington Transfer & Storage Company,)
to sell, and of Bekins Van & Storage)
Company, to purchase certain personal)
property and public utility warehouse)
operative rights, and of Los Angeles)
Harbor Warehouse Company, to sell and)
Bekins Van & Storage Company, to pur-)
chase certain real property, and of)
Bekins Van & Storage Company, for)
authority to lease to Bekins Van Lines,)
Inc., all of its public utility ware-)
house operative rights as taken over)
from C. B. Carter.)

ORIGINAL

Application No. 24391

BY THE COMMISSION:

OPINION AND ORDER

By this application Los Angeles Harbor Warehouse Company, a corporation, and C. B. Carter, an individual doing business as Wilmington Transfer & Storage Company, seek authority to sell and Bekins Van & Storage Company, a corporation, seeks authority to purchase public utility warehouse property located in the City of Los Angeles at 245 Fries Avenue, Wilmington, owned by the Warehouse Company, and the operating rights and warehouse equipment owned by Carter.¹ Bekins Van & Storage Company also seeks authority to lease the property and operating rights which it proposes to acquire to Bekins Van Lines, Inc. The Van Lines proposes to conduct public utility warehouse operations under the leased operating authority. No change in the tariff rates nor in the service to the public is proposed.

¹ Carter now leases the Fries Avenue property from the Warehouse Company and is operating as a public utility warehouseman at that location.

Under the proposed agreement, attached to the application as Exhibit "A", the consideration to be paid Los Angeles Harbor Warehouse Company for its property is \$52,000, and that to be paid Carter for his operating rights and equipment is \$8,000. Under the proposed lease arrangement, attached to the application as Exhibit "B", the rent to be paid the Van & Storage Company by the Van Lines is the net profit from the operations involved. This lease, it is represented, is similar in terms to other leases under which the Van Lines operates properties owned by the Van & Storage Company.

It appears that this is a matter in which a public hearing is not necessary and that the application should be granted, as provided herein, with the understanding, however, that by such action we are not passing upon the nature and extent of such operating authority as said C. B. Carter may possess.

Therefore, good cause appearing,

IT IS HEREBY ORDERED that Los Angeles Harbor Warehouse Company, a corporation, and C. B. Carter, an individual doing business as Wilmington Transfer & Storage Company, be and they are and each of them is hereby authorized to transfer to Bekins Van & Storage Company, a corporation, the property described in the proposed agreement attached to the application as Exhibit "A" and such operating authority as said C. B. Carter may possess, in accordance with the provisions of said proposed agreement; and that said Bekins Van & Storage Company be and it is hereby authorized to lease to Bekins Van Lines, Inc., a corporation, the property and operating authority herein authorized to be transferred to said Bekins Van & Storage Company in accordance with the provisions of the proposed lease attached to this application as Exhibit "B"; subject to the following conditions:

1. That the considerations to be paid for the property and operating authority herein authorized to be transferred shall never be urged as a measure of the value of said property or operating authority for rate-fixing purposes or any purpose other than the transfers herein authorized;

2. That within sixty (60) days from the effective date of this order tariffs of applicant C. B. Carter, doing business as Wilmington Transfer & Storage Company, be supplemented to show that said C. B. Carter has withdrawn therefrom and that applicant Bekins Van Lines, Inc. has accepted and adopted as its own said tariffs and all effective supplements thereto;

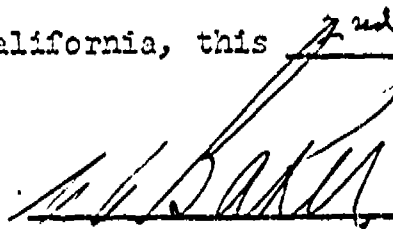
3. That the property and operating rights and privileges herein authorized to be conveyed may not be sold, leased, transferred nor assigned, nor may service under said rights be discontinued in the absence of written authorization from the Commission for such sale, lease, transfer, assignment or discontinuance;

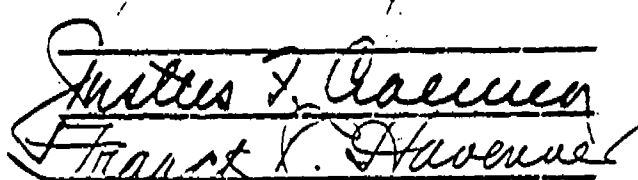
4. That the Commission reserves the right to consider de novo the reasonableness of the terms of the lease of the property and operating authority herein authorized to be executed should said terms become an issue before the Commission and to modify said terms should such action be necessary; and

5. That the authority herein granted shall lapse and be void unless exercised sixty (60) days from the effective date of the order unless, for good cause shown, the time shall be extended by further order of the Commission.

This order shall become effective ~~within (20) days from~~^{on} the date hereof. H.B.

Dated at San Francisco, California, this 7th day of September, 1941.





Commissioners.