

ORIGINAL

Decision No. 34856

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of A. A. Austerland to sell and)
Frederick H. Henneman to purchase)
and operate Livingston Warehouse)
No. 1, located in the City of)
Livingston, California.)

Application No. 24567

BY THE COMMISSION:

OPINION AND ORDER

By this application A. A. Austerland seeks authority to sell to Frederick H. Henneman the public utility warehouse business conducted at Livingston as Livingston Warehouse No. 1 and the equipment used in that business. The consideration to be paid for the property proposed to be transferred is \$1432. The land and warehouse structure are leased from the Estate of A. C. Crowell and no change in the ownership of that property is involved. Henneman proposes to provide the same service and maintain the same rates as those now provided and maintained by Austerland.

It appears that this is a matter in which a public hearing is not necessary and that the application should be granted. Therefore, good cause appearing,

IT IS HEREBY ORDERED that A. A. Austerland be and he is hereby authorized to transfer property used in his public utility warehouse operations at Livingston to Frederick H. Henneman, subject to the following conditions:

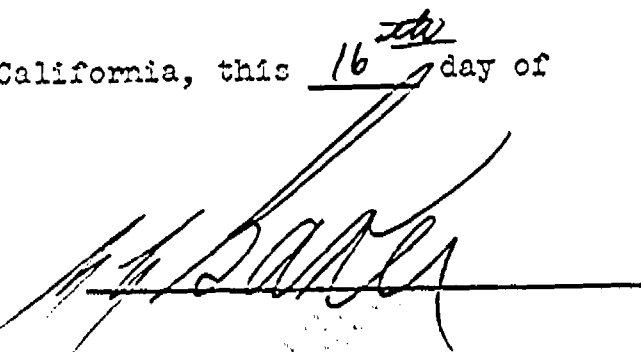
1. That the consideration to be paid for the property herein authorized to be transferred shall never be urged before this Commission or any other rate-fixing body as a measure of value of said property for rate-fixing or any purpose other than the transfer herein authorized.

2. That within sixty (60) days from the effective date of this order on not less than five (5) days' notice to the Commission and to the public tariffs on file with the Commission be supplemented to show the change of ownership involved herein.

3. That the property herein authorized to be transferred may not be sold, leased or 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.

This order shall become effective twenty (20) days from the date hereof.

Dated at San Francisco, California, this 16th day of December, 1941.



Justice F. Caseman
Francis R. Havenner

Richard L. Jackson
Commissioners