

Decision No. 35423

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of LATHROP HAY AND GRAIN COMPANY, a California corporation, for authorization to sell certain of its grain warehouses and equipment and to lease certain of its hay warehouses and equipment, and to withdraw, as to certain territory, from the hay and grain warehouseman's business, and application of CLARENCE A. GARDNER and JOHN L. BEACH for authorization to purchase said grain warehouses and equipment and to lease said hay warehouses and equipment, and to engage in the hay and grain warehouseman's business.

ORIGINAL

Application No. 25000

BY THE COMMISSION:

OPINION AND ORDER

By this application, as amended, Lathrop Hay and Grain Company, a public utility warehouseman, seeks authority to sell and lease to Clarence A. Gardner and John L. Beach certain of its public utility warehouse property located in and adjacent to Hollister. It is alleged that applicants Gardner and Beach have the experience and qualifications necessary to commence operations as a public utility warehouseman; that there will be no interruption or change in the service to the public and that there will be no change in the tariff rates.

¹ The principal properties to be sold are Warehouses Nos. 1 and 3 in Hollister, the real property upon which Warehouse No. 3 is located and designated warehouse fixtures and equipment. The property to be leased consists of certain hay storage warehouses located adjacent to the eastern city limits of Hollister. A complete description of the property involved and the terms and conditions of the proposed sale and lease arrangements are set forth in an agreement, a copy of which is attached to the application as Exhibit "A".

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 Lathrop Hay and Grain Company be and it is hereby authorized to sell and lease the public utility property involved to Clarence A. Gardner and John L. Beach in accordance with the terms of the proposed agreement set forth in Exhibit "A" to the application.

IT IS HEREBY FURTHER ORDERED that immediately upon the transfer of the property involved herein, Lathrop Hay and Grain Company, a corporation, and Clarence A. Gardner and John L. Beach, shall, on not less than five (5) days' notice to the Commission and to the public, supplement or reissue the tariffs on file with the Commission naming rates, rules and regulations covering warehouse operations by Lathrop Hay and Grain Company to show that the former has withdrawn or cancelled and that the latter have concurrently adopted or established as their own said rates, rules and regulations in so far as they are applicable to warehouse operations conducted at the warehouses involved herein; and that the tariff filings made pursuant to this order shall, in other respects, comply with the regulations governing the construction and filing of warehouse tariffs set forth in the Commission's General Order No. 61.

This order shall become effective on the date hereof.

Dated at San Francisco, California, this 26th day of May, 1942.

Justus F. Calver
John L. Beach

John L. Beach
Commissioners