

Decision No. 36008

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application )  
of Birch-Smith Storage Company, )  
a corporation, for Authority to )  
Sell Public Utility Warehouse )  
Operating Rights. )

Application No. 25394

**ORIGINAL**

BY THE COMMISSION:

OPINION AND ORDER

By this application, Birch-Smith Storage Company, a corporation, seeks authority to sell and transfer to Lyon Van and Storage Company, an operative right as a public utility warehouseman in Los Angeles.<sup>1</sup>

Applicant represents that loss of personnel to the armed forces and inability to replace them with competent persons coupled with a serious shortage of warehouse labor makes continuation of its operations extremely difficult. It is represented that Lyon Van and Storage Company is ready, able and willing to offer service substantially similar to that now rendered by applicant and that no change will be made in the storage rates involved.

Present storers may, if they so desire, have their merchandise which is in storage at the present location transferred at the expense of Lyon Van and Storage Company to the locations in which its operations are proposed to be conducted.

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 Birch-Smith Storage Company, a corporation, be and it is hereby authorized to sell and transfer to Lyon Van and Storage Company, the operative right it now holds by

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<sup>1</sup> The operative right here involved was acquired by Birch-Smith Storage Company by authority of Decision No. 25742 of March 20, 1933, in Application No. 18705.

reason of Decision No. 25742 in Application No. 18705.

IT IS HEREBY FURTHER ORDERED that immediately upon transfer of the aforesaid operative right, tariffs on file with the Commission naming rates, rules and regulations covering the warehouse operations involved shall be amended, on not less than five (5) days' notice to the Commission and to the public to show that Birch-Smith Storage Company, a corporation, has withdrawn from or cancelled said rates, rules and regulations and that Lyon Van and Storage Company, a corporation, has concurrently adopted or established them as its own; 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 8th day of  
December, 1942.

Justus J. Gaenen  
M. A. K.  
Francis R. Haveman  
Arthur W. Kachse  
Commissioners