

Decision No. 36108

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 author-)
 ization to sell certain of its hay)
 and grain warehouses and equipment)
 and to withdraw, as to certain ter-)
 ritory, from the hay and grain ware-)
 houseman's business, and application)
 of SCHULER-WILKINSON GRAIN COMPANY)
 for authorization to purchase said)
 hay and grain warehouses and equipment)
 and to engage in the hay and grain)
 warehouseman's business.)

ORIGINAL

Application No. 25439

BY THE COMMISSION:

OPINION AND ORDER

By this application Lathrop Hay and Grain Company seeks authority to sell to Schuler-Wilkinson Grain Company certain public utility warehouse property located at Tres Pinos, San Benito County. The seller proposes to discontinue warehouse operations at that point. The purchaser will provide the same service and maintain the same rates as those now provided and maintained by the seller.

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,

¹ The properties to be sold are described as Grain Warehouses Nos. 1, 2 and 3 and Hay Warehouse No. 1, the real property upon which Grain Warehouse No. 1 and Hay Warehouse No. 1 are located and designated warehouse fixtures, equipment and supplies. A complete description of the property involved and the terms and conditions of the proposed sale are set forth in the application and Exhibit "A" thereof.

IT IS HEREBY ORDERED that Lathrop Hay and Grain Company, a corporation, be and it is hereby authorized to sell the public utility property involved to Schuler-Wilkinson Grain Company, a corporation, in accordance with the terms of the agreement set forth in Exhibit "A" of the application.

IT IS HEREBY FURTHER ORDERED that, immediately upon the transfer of the property involved, Lathrop Hay and Grain Company and Schuler-Wilkinson Grain Company 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regulations covering warehouse operations by Lathrop Hay and Grain Company at Tres Pinos to show that the former has withdrawn from or canceled and that the latter has concurrently adopted or established as their own said rates, rules and regulations; and that tariff filings made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 19th day of January, 1943.

Francis D. Havens
Justice F. Casper
Franklin Dewey
 Commissioners