

Decision No. 36789

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application	)	
of T. E. Brown, doing business as	)	
Woodland Warehouses, for authority	)	Application No. 25936
to lease his operative properties	)	
to Philip R. Collins.	)	

BY THE COMMISSION:

**ORIGINAL**

OPINION AND ORDER

By this application, T. E. Brown, doing business as Woodland Warehouses, seeks authority to lease designated property and equipment used in a public utility warehouse business conducted at Woodland, Yolo County, to Philip R. Collins.<sup>1</sup>

Verified statements incorporated in the application disclose that Brown is compelled temporarily to retire from business because of ill health and that Collins, who is Brown's general manager, is thoroughly familiar with the business. No change in the tariff rates or in the character of the service is proposed.

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 T. E. Brown be and he is hereby authorized to lease to Philip R. Collins the property and equipment used in the operation of a public utility warehouse business at Woodland, Yolo County, in accordance with the terms of the proposed lease attached to the application in this proceeding as Exhibit "C", provided applicants will not urge before this Commission that the

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<sup>1</sup> The property and equipment are described, and the terms and conditions of the arrangement are set forth, in a copy of a proposed lease attached to the application.

amount of rental paid for the use of said properties should necessarily be included by the Commission in operating expense or that it determines the value of said properties for the purpose of fixing rates.

IT IS HEREBY FURTHER ORDERED that the authority herein granted is subject to the condition that applicants shall comply with the rules of the Commission's General Order No. 61 by filing, in triplicate, and concurrently making effective tariffs satisfactory to the Commission within sixty (60) days from the effective date hereof and on not less than three (3) days' notice to the Commission and to the public.

This order shall become effective on the date hereof.

Dated at San Francisco, California, this 28<sup>th</sup> day of December, 1943.

Francis R. Havener

Justice Z. Crocker

Richard H. Kasse

Commissioners.