

Decision No. 37120

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
J. R. Gibbs for authority to sell ) Application No. 26141  
and transfer warehouse and warehouse )  
permit therefor to L. D. Gibbs. )

BY THE COMMISSION:

OPINION AND ORDER

**ORIGINAL**

By this application J. R. Gibbs seeks authority to sell a public utility warehouse located at Califa, Madera County, to L. D. Gibbs for a cash consideration of \$500.<sup>1</sup> The verified application shows that J. R. Gibbs must curtail his business activities and that L. D. Gibbs is able to conduct the operation here involved. No change in tariff rates or charges is proposed.

It appears that this is a matter in which a public hearing is not necessary and that the application should be granted. The action taken herein shall not be construed to be a finding of value for any purpose.

Therefore, good cause appearing,

IT IS HEREBY ORDERED that J. R. Gibbs be and he is hereby authorized to sell and L. D. Gibbs be and he is hereby authorized to purchase the public utility warehouse property involved in this application and to execute a bill of sale; said bill of sale to be in substantially the same form as the bill of sale attached to the application as Exhibit "A".

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<sup>1</sup> Applicants also request cancellation of warehouse permits assertedly held by J. R. Gibbs and issuance of new permits to L. D. Gibbs. Specific operating authority from this Commission in the form of certificates of public convenience and necessity, warehouse permits, or otherwise is not a prerequisite to conduct operations as a public utility warehouseman at locations having a population of less than 150,000.

IT IS HEREBY FURTHER ORDERED that immediately upon transfer of the property involved J. R. Gibbs and L. D. Gibbs 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 in so far as they name rates, rules and regulations governing warehouse operations of J. R. Gibbs at the warehouse involved in this proceeding to show that he has withdrawn or canceled and that L.D. Gibbs has concurrently adopted or established as his own, said rates, rules and regulations; and that the tariff filings made pursuant to this order shall in all 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 13<sup>th</sup> day of June, 1944.

Richard L. Lach  
Justice P. Cassen  
For Francis D. Havener  
Thomas E. Lown  
Raymond J. Luce  
 Commissioners