

Decision No. 37135

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )	
Butte County Warehouse Co., R. A. )	
Harelson doing business as Northern )	
Star Mills, and Sacramento Northern )	Application No. 26120
Railway for permission to sell ware- )	
house property and modify purchase )	
contract. )	

**ORIGINAL**

BY THE COMMISSION:

OPINION AND ORDER

In this proceeding Butte County Warehouse Co. seeks authority to sell and R. A. Harelson, doing business as Northern Star Mills, seeks authority to purchase public utility warehouse property located at Durham, Butte County.<sup>1</sup> The total consideration is \$22,500, payable in cash. One of the four warehouses proposed to be sold to Harelson is presently being acquired by Butte County Warehouse Co. from Sacramento Northern Railway, pursuant to a purchase agreement previously authorized by this Commission.<sup>2</sup> To satisfy that agreement the warehouse company agrees to pay the railway \$7,500.

The verified application shows that Harelson is now engaged in the public utility warehouse business at other locations. No change in tariff rates or charges at the Durham warehouses involved in this proceeding is proposed.

It appears that these are matters 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 Butte County Warehouse Co. be and it is hereby authorized to sell and R. A. Harelson, doing busi-

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<sup>1</sup> This property, which consists of three parcels of land, the warehouses located thereon and the warehouse equipment contained therein, is more fully described in Appendix "A" of the application.

<sup>2</sup> See Decision No. 15128, as amended, in Application No. 11243 and Decision No. 27595 in Applications Nos. 19738 and 19739.

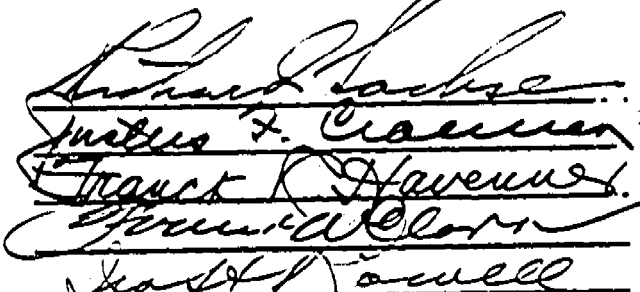
ness as Northern Star Mills, be and he is hereby authorized to purchase the public utility warehouse property involved in this application in accordance with the terms of this application.

IT IS HEREBY FURTHER ORDERED that Butte County Warehouse Co. and Sacramento Northern Railway be and they are hereby authorized to execute an agreement canceling the purchase agreement heretofore authorized; said agreement to be in substantially the same form as that attached to the application as Exhibit "B".

IT IS HEREBY FURTHER ORDERED that immediately upon transfer of the property involved, Butte County Warehouse Co., and R. A. Harelson, doing business as Northern Star Mills, 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 Butte County Warehouse Co. at the warehouses involved in this proceeding to show that it has withdrawn or canceled and that R. A. Harelson, doing business as Northern Star Mills, has concurrently adopted or established as its 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 <sup>th</sup> 20 day of  
June, 1944.

  
Richard L. Baker  
Justice F. Craven  
Frank R. Havens  
Gerald W. Clorn  
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Commissioners