

Decision No. 37224

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

IN THE MATTER OF THE APPLICATION)	
OF CHAS. J. CUMMINGS AND ELIZABETH)	
V. CUMMINGS, To sell, and FRANCIS)	
J. MULLER, to purchase, a public)	Application No. 26235
warehouse operated at Ducor, Tulare)	
County, State of California.)	

ORIGINAL

BY THE COMMISSION:

OPINION AND ORDER

By this application Chas. J. Cummings and Elizabeth V. Cummings seek authority to sell public utility warehouse property located at Ducor, Tulare County, to Francis J. Muller for a cash consideration of \$9000.¹ The verified application shows that the Cummings desire to curtail their business activities and that Muller is able to conduct the operation here involved. No change in the tariff rates or in the service to the public 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 Chas. J. Cummings and Elizabeth V. Cummings be and they are hereby authorized to sell and Francis J. Muller be and he is hereby authorized to purchase the public utility warehouse property involved in this application in accordance with

¹ The property consists of the warehouse structure and equipment. It is more specifically described in the application and exhibits attached thereto. Applicants also request permission to transfer operative rights. However, 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 conducting operations as a public utility warehouseman at locations other than those in cities having a population of 150,000 or more.

the terms of the agreement attached to the application as Exhibit "A"

IT IS HEREBY FURTHER ORDERED that immediately upon transfer of the property involved Chas. J. Cummings and Elizabeth V. Cummings and Francis J. Muller 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 Chas. J. Cummings and Elizabeth V. Cummings at the warehouse involved in this proceeding to show that they have withdrawn or canceled and that Francis J. Muller has concurrently adopted or established as his own, said rates, rules and regulations; and that the tariff filings made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 Los Angeles, California, this 26th day of July,

1944.

Richard L. Lohse
Justus F. Caseman
Frank C. Havenner
Francis J. Loya
Irish Powell
Commissioners