

Decision No. 37232

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of)
A. A. Austerland to Lease and Arthur)
R. Anderson to operate as Lessee, the)
Farmers Warehouse Company, Numbers 1,)
2 and 3, located in the Town of Hilmar,)
Merced County, California.)

ORIGINAL

Application No. 26221

BY THE COMMISSION:

OPINION AND ORDER

By this application A. A. Austerland and Arthur R. Anderson seek authority to enter into an agreement whereby the former would lease to the latter three warehouses and designated equipment used in conducting public utility warehouse and nonutility operations at Hilmar, Merced County.¹

The verified application shows that Austerland must discontinue his warehouse operations because his family's health requires a change of climate and that Anderson who has been employed by Austerland for approximately ten years is familiar with and qualified to continue these operations. No change in 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 to the extent the application involves the lease of property necessary and useful in the public utility warehouse operations in question it should be granted.

¹ In addition to the three warehouses, the property proposed to be leased includes certain milling, feed mixing and bean and grain cleaning equipment, a fumigation building, scales, hand trucks, an elevator, and office furniture and fixtures.

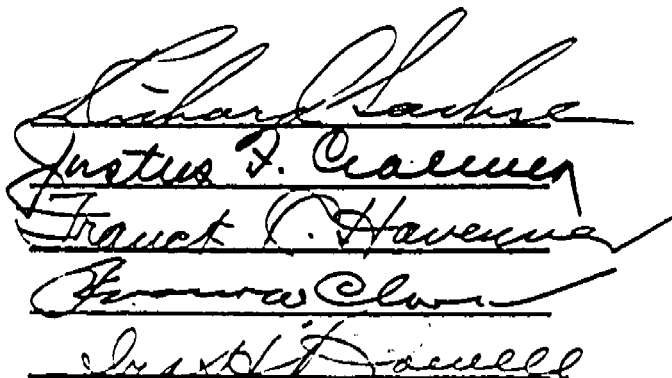
Therefore, good cause appearing,

IT IS HEREBY ORDERED that A. A. Austerland be and he is hereby authorized to lease property necessary and useful in the public utility warehouse operations involved in the above entitled proceeding to Arthur R. Anderson and to execute a lease, said lease to be in substantially the same form as the lease, as amended, which is a part of the application.

IT IS HEREBY FURTHER ORDERED that immediately upon the leasing of the property involved A. A. Austerland and Arthur R. Anderson 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 A. A. Austerland at Hilmar, Merced County, to show that he has withdrawn or canceled and that Arthur R. Anderson 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.


Commissioners