

Decision No. 39144

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
PLANT WAREHOUSES, INC., and of)
RAYMOND DONNELL, doing business as)
DONNELL GRAIN AND WAREHOUSE COMPANY,)
for an Order authorizing sale of)
property and for order authorizing)
Plant Warehouses, Inc., to withdraw)
from public service.)
-----)

Application
No. 27565

ORIGINAL

OPINION AND ORDER

Plant Warehouses, Inc., a corporation, owns and operates two public utility warehouses situated at Davis, known respectively as "Warehouse No. 1" and "Warehouse No. 2". It seeks authority to sell Warehouse No. 1 to Raymond Donnell, a public utility warehouseman doing business as Donnell Grain and Warehouse Company, for \$10,500, which is alleged to be the present value of said warehouse, and to discontinue public utility service at Warehouse No. 2 upon the removal of a small amount of grain now stored therein.

The verified application shows that Donnell will operate Warehouse No. 1 as an integral part of his present warehouse business in Davis with no change in rates or service to the public; that Donnell's present storage space plus that at Warehouse No. 1 is adequate to care for all grain offered for storage in Davis; and that Warehouse No. 2 is no longer suitable for grain storage. It appears that Donnell proposes to borrow \$8,000 from the Bank of Davis to finance, in part, the purchase price, said sum to be represented by a note payable in ten

years with interest at the rate of 5% per annum, payment to be secured by a deed of trust.

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 Plant Warehouses, Inc., a corporation, be and it is hereby authorized to sell and Raymond Donnell, doing business as Donnell Grain and Warehouse Company, be and he is hereby authorized to purchase the public utility warehouse property described in this application as "Warehouse No. 1" in accordance with the terms and conditions set forth therein; that Raymond Donnell concurrently with the commencement of warehouse operations at "Warehouse No. 1", shall file rates, rules and regulations identical with those now maintained by Plant Warehouses, Inc., in conformity with the regulations governing the construction and filing of warehouse tariffs set forth in the Commission's General Order No. 61, and on not less than five (5) days' notice to the Commission and to the public.

IT IS HEREBY FURTHER ORDERED that Plant Warehouses, Inc., be and it is hereby authorized to discontinue public utility warehouse service at its "Warehouse No. 2"; and that concurrently with the discontinuance of operations and on not less than five (5) days' notice to the Commission and to the public it shall cancel rates, rules and regulations applicable thereto..

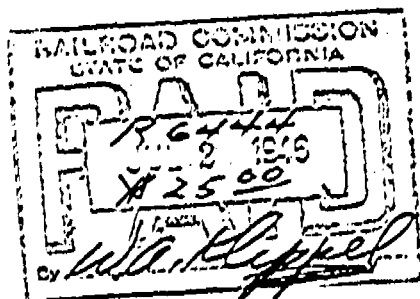
IT IS HEREBY FURTHER ORDERED that Raymond Donnell be, and he hereby is authorized, on or before September 30, 1946, to

execute a deed of trust in, or substantially in, the same form as that filed in this proceeding, and to issue a note in the principal amount of \$8,000, payable on or before ten (10) years after date of issue with interest at the rate of 5% per annum, for the purpose of financing in part the purchase price of the properties herein authorized to be transferred, it being the opinion of the Commission that the money, property or labor to be procured or paid for through the issue of said note is reasonably required for the purpose specified herein, which purpose is not, in whole or in part, reasonably chargeable to operating expenses or to income.

IT IS HEREBY FURTHER ORDERED that Raymond Donnell, within thirty (30) days after the execution of the deed of trust and note under the authority herein granted, shall file with the Railroad Commission copies thereof as actually executed.

The authority herein granted to execute a deed of trust and to issue a note shall become effective when Raymond Donnell has paid the minimum fee prescribed by Section 57 of the Public Utilities Act, which fee is Twenty-five (\$25.00) Dollars. In other respects this order shall become effective twenty (20) days from the date hereof. The authority herein granted shall not be construed to be a finding of value of the properties herein authorized to be transferred.

Dated at Los Angeles, California, this 25th day of June, 1946.



David C. ...
James F. ...
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...
 Commissioners