

Decision No. 40070

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
ED. J. LYNQ WAREHOUSE, to buy, and
G. W. CARDER & SONS, to sell the
Carder Warehouse at Palora Station,
Sutter County, California.

Application
No. 28262

OPINION AND ORDER

In this application the Public Utilities Commission is asked to make an order authorizing A. W. Carder to transfer to Ed. J. Lyng Warehouse, a partnership, for the sum of \$34,000.00, certain public utility warehouse properties located at Palora Station, Sutter County, consisting of approximately 1.21 acres of land, a warehouse building containing 22,800 square feet of storage space, a seven room dwelling and miscellaneous equipment.

It appears that G. W. Carder, doing business under the name of G. W. Carder & Sons, for some time has been engaged in operating said warehouse properties for the purpose, primarily, of storing rice and barley. He reports that due to poor health and other personal reasons he now desires to dispose of his warehouse operations and to that end has made arrangements to sell his properties as set forth in this application.

Ed. J. Lyng Warehouse, the proposed purchaser, is a partnership consisting of Ed. J. Lyng, Sarah C. Lyng and Richard Lyng. For some years said partnership has been engaged in the merchandise business and also in the operation of a public warehouse, situated at U. S. #99 Highway and Caldwell Avenue in Township, Stanislaus County, California, for the storage of

beans and grain. The partnership reports its investment in public utility fixed assets, less depreciation, at \$65,836.20 and in current assets at \$6,326.14, a total of \$72,162.34 as of December 31, 1946. The outstanding indebtedness is reported at \$30,000.00 consisting of a 4%, 120 day note for \$30,000.00 issued on February 8, 1947, apparently for the purpose of providing funds to purchase the properties of G. W. Carder.

The Commission has considered this matter and is of the opinion that a public hearing is not necessary and that the request of applicants should be granted, as herein provided, therefore,

IT IS HEREBY ORDERED as follows:

1. A. W. Carder, on or before June 30, 1947, may sell to Ed. J. Lyng, Sarah C. Lyng and Richard Lyng, partners doing business under the name of Ed. J. Lyng Warehouse, the public utility warehouse properties referred to herein, such sale to be in accordance with the terms of the agreement dated February 10, 1947, filed in this proceeding.
2. Applicants, upon the transfer of the aforesaid properties and upon not less than five (5) days' notice to the Commission and to the public, shall supplement or re-issue the tariff on file with the Commission insofar as it names rates, rules and regulations governing warehouse operations by G. W. Carder, to show that said G. W. Carder has withdrawn or canceled, and that Ed. J. Lyng Warehouse concurrently has adopted or established said rates, rules and regulations. The tariff filings made pursuant to this order in all respects shall comply with the regulations governing the construction and filing of warehouse tariff set forth in the Commission's General Order No. 61.

3. Such authority shall not be construed to be a finding of value of the properties herein authorized to be transferred.

Dated at San Francisco, California, this 17th day of March, 1947.

Harold A. Kula
Justin J. Calmes
Joseph A. Kuller
R. F. Morrison
Penelope Miller
Commissioners