

Decision No. **40233**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

ORIGINAL

In the Matter of the Application of)
H. H. RICHTER, KATE M. RICHTER,)
H. I. BOBB and CHRIS CHRISTENSEN,)
for an order authorizing the leasing)
by the said H. H. RICHTER and KATE)
M. RICHTER to the said H. I. BOBB)
and CHRIS CHRISTENSEN of Dufour)
Warehouse.)
-----)

Application
No. 28369

OPINION AND ORDER

H. H. Richter and Kate M. Richter report that they are the owners of that certain warehouse located at Dufour Station, Yolo County, California, commonly known as the Dufour Warehouse. The 1946 operating revenues of Dufour Warehouse are by the present lessee, H. E. Richter, reported at \$9,393.91.

H. H. Richter and Kate M. Richter ask permission to lease the warehouse properties including the land, building and equipment, to H. I. Bobb and Chris Christensen, copartners doing business under the firm name of Union Storage Company. The lessees are presently engaged in the operation of public utility warehouses. A copy of the lease is on file in this application. The lessees agree to pay as rent for the warehouse properties thirty-three and one-third percent (33-1/3%) of the gross amount of storage charges received from the operation of the warehouse. The rental is payable on the first day of October and the thirty-first day of May during the term of the lease, which is for a period of three years from and including June 1, 1947, to and excluding the first day of June, 1950.

The Commission has no objection to the execution of the lease, but it should be understood that in any rate proceeding the Commission reserves the right to exclude from operating expenses the rental which lessees agree to pay for the warehouse properties and in lieu thereof allow a reasonable return on the investment in the warehouse properties.

The action taken herein shall not be construed to be a finding of the value of the properties herein authorized to be leased.

The Commission has considered applicants' request and believes that this is not a matter on which a hearing is necessary, and that this application should be granted, therefore,

IT IS HEREBY ORDERED that H. H. Richter and Kate M. Richter may, after the effective date hereof and on or before August 1, 1947, lease to H. I. Bobb and Chris Christensen their warehouse properties commonly referred to as the Dufour Warehouse and more particularly described in the lease on file in this application, which lease applicants are hereby authorized to execute.

IT IS HEREBY FURTHER ORDERED that prior to the effective date of said lease H. E. Richter, presently the lessee of Dufour Warehouse, and H. I. Bobb and Chris Christensen as co-partners doing business under the firm name and style of Union Storage Company 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 insofar as they name rates, rules and regulations governing warehouse operations of H. E.

Richter, lessee of Dufour Warehouse, to show that he has withdrawn or canceled and that H. I. Bobb and Chris Christensen, co-partners doing business under the firm name and style of Union Storage Company, have concurrently adopted or established as their 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.

IT IS HEREBY FURTHER ORDERED that this order shall become effective twenty (20) days from the date hereof.

Dated at San Francisco, California, this 6th day of May, 1947.

Harold P. Kula

Leah Powell

A. J. Morrison

Samuel W. Foster
Commissioners.