

ORIGINAL

Decision No. 40235

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
)
-of-)
)
FRANCIS J. MULLER to sell, and A. L.)
Ferguson to purchase, a public ware-)
house operated at Terra Bella, Tulare)
County, California.)

Application No. 28329

OPINION AND ORDER

Francis J. Muller is the owner and operator of a public utility warehouse building, located on the right of way of the Southern Pacific in the town of Terra Bella, together with certain equipment, the original cost of which building and equipment is reported at \$6,480.20 and the present value at \$5,000. He seeks authority, in this application, to sell said properties to A. L. Ferguson for the sum of \$5,000.

The application shows that A. L. Ferguson is experienced in warehouse operations and that he intends to continue the business with no change in rates or service to the public. He proposes to finance the purchase price through the issue of a note for \$5,000 payable in monthly installments of \$100 with interest at the rate of 6% per annum, payment to be secured by a mortgage of chattels on the building and equipment.

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

IT IS HEREBY ORDERED as follows:

1. Francis J. Muller, after the effective date hereof and on or before July 31, 1947, may sell and transfer to A. L. Ferguson the warehouse properties and equipment referred to herein.
2. A. L. Ferguson, after the effective date hereof and on or before July 31, 1947, in order to finance the cost of such properties and equipment, may execute a mortgage of chattels and issue a note for \$5000 payable in monthly installments of \$100 with interest at the rate of six percent per annum, said mortgage of chattels and note to be in, or substantially in, the same form as the mortgage of chattels and note filed in this proceeding.
3. 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 reissue the tariff on file with the Commission in so far as it names rates, rules and regulations governing warehouse operations by Francis J. Muller at Terra Bella, to show that said Francis J. Muller has withdrawn or cancelled, and that A. L. Ferguson concurrently has adopted or established said rates, rules and regulations.
4. A. L. Ferguson shall file with the Commission a report of the issue of the note as required by the Commission's General Order No. 24-A, which order, in so far as applicable, is made a part of this order.
5. The authority herein granted shall not be construed to be a finding of value of the properties herein authorized to be transferred.

6. The authority herein granted will become effective when A. L. Ferguson has paid the minimum fee prescribed by Section 57 of the Public Utilities Act, which fee is Twenty-five (\$25.00) Dollars.

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

Harold P. Fule
Frank Russell
A. J. ...
Kenneth ...

CERTIFIED AS A TRUE COPY

Secretary, Public Utilities Commission
of the State of California

