

ORIGINAL

Decision No. 40551

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
 Howard and Barnett, a co-partnership; )  
 for the leasing of the grain elevator ) Application No. 28028  
 at Murrietta, California, to Rail and )  
 Stowell, a co-partnership. )

OPINION AND ORDER

By this application, as amended, A. Z. Howard and B. H. Barnett, copartners operating a public utility warehouse situated at Murrietta, Riverside County, propose to lease the warehouse to Floyd W. Rail and Bradford O. Stowell. Applicants also seek authority to cancel tariff rates maintained for the service of cleaning grain.

Howard and Barnett also operate a warehouse and conduct a feed and grain business at Corona. They desire to withdraw from the Murrietta warehouse operation and center their activities at Corona. Rail has been employed by Howard and Barnett and has managed the Murrietta warehouse. No change is proposed in the warehouse service or in the rates therefor.

With respect to the rates for cleaning grain, it is alleged that this service has no connection with the public utility service and that these rates should, therefore, be removed from the tariff.

It appears that this is a matter in which a public hearing is not necessary and that the sought authority should be granted.

Therefore, good cause appearing,

IT IS HEREBY ORDERED that A. Z. Howard and B. H. Barnett may, after the effective date hereof and on or before October 1, 1947,

lease to Floyd W. Rail and Bradford O. Stowell the warehouse property at Murrietta, Riverside County, more particularly described in the proposed lease on file in this application, which lease applicants are hereby authorized to execute; that, upon execution of said lease, applicants shall, on not less than five (5) days' notice to the Commission and to the public, supplement or reissue tariffs on file with the Commission in so far as they name rates, rules and regulations governing warehouse operations of A. Z. Howard and B. H. Barnett at Murrietta to show that A. Z. Howard and B. H. Barnett have withdrawn from these operations and that Floyd W. Rail and Bradford O. Stowell have adopted or established said rates, rules and regulations as their own, except rates applicable to the service of cleaning grain, which rates are hereby authorized to be canceled; and that 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 twenty (20) days from the date hereof.

Dated at San Francisco, California, this 22<sup>nd</sup> day of July, 1947.

Harold J. Kula  
Justice F. Casper  
Robert H. Luce  
C. Z. Johnson  
 Commissioners