

ORIGINAL

Decision No. 42336

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
 DELIA BURTON, widow of FRED BURTON, )  
 deceased, and GALE KILLINGSWORTH, for )  
 order approving the transfer of certain )  
 warehouse property at Blavo, heretofore )  
 leased by Fred Burton from the Northern )  
 Warehouse Company, a corporation, by the )  
 said Delia Burton, to Gale Killingsworth, )  
 and authorizing Gale Killingsworth to )  
 operate under the title and name of Blavo )  
 Warehouse, to issue warehouse certificates )  
 and receipts; and fixing a tariff rate for )  
 warehouse charges. )

Application  
No. 29925

-----

OPINION AND ORDER

This application shows that Fred Burton, deceased, leased from Northern Warehouse Company, a corporation, the warehouse situated at Blavo, Butte County, California. During his lifetime he operated the warehouse under the name of Blavo Warehouse. Delia Burton, his widow, received the leased property from the Estate of Burton, and now asks permission to assign the property leased from Northern Warehouse Company to Gale Killingsworth. The Northern Warehouse Company has given its consent to the assignment. A copy of the lease is on file in this application as Exhibit "A", and a copy of the assignment as Exhibit "B".

Until such time as the Commission authorizes a change in the warehouse rates, Gale Killingsworth shall charge the same rates as the Estate of Burton now has on file with the Commission.

The Commission has considered this application and is of the opinion that a hearing thereon is not necessary, and that this application should be granted; therefore,

IT IS HEREBY ORDERED that Delia Burton, widow of Fred Burton, may, within sixty (60) days from the effective date of this order, assign her right, title and interest in the lease on file in this application as Exhibit "A" to Gale Killingsworth, who may operate said warehouse properties under the name of Blavo Warehouse, provided that prior to the effective date of said assignment Delia Burton and Gale Killingsworth 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regulations governing warehouse operations at Blavo to show that Delia Burton, successor to the Estate of Burton, has withdrawn or canceled and Gale Killingsworth has concurrently adopted or established as his own said rates, rules and regulations, and that the tariff filings made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 filing of warehouse tariffs set forth in the Commission's General Order No. 61.

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

Dated at San Francisco, California, this 29<sup>th</sup> day of December, 1948.

*R. Z. Anderson*  
*Justice F. Wallace*  
*Samuel L. Potter*  
\_\_\_\_\_  
Commissioners