

**ORIGINAL**

Decision No. 42667

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application )  
of D. W. Griggs dba American )  
Warehouse for permission to transfer ) Application No. 30086  
and assign, and of Edward H. Good )  
to acquire certain warehouse operating )  
rights. )

OPINION AND ORDER

D. W. Griggs operates a public utility warehouse in the City of Los Angeles. By this application, as amended, he seeks authority to sell and Edward H. Good seeks authority to purchase the public utility warehouse operative right involved. This right is said to have been created by Griggs' operations before the effectiveness of Section 50½ of the Public Utilities Act requiring that a certificate of public convenience and necessity be obtained prior to beginning public warehouse operations in cities having a population of 150,000 or more. Good also seeks permission to lease the warehouse property, equipment and fixtures from Griggs and his wife, the owners.

The verified application shows that Good has been employed in the warehouse for 25 years; that Griggs has retired from its active management due to ill health; and that no change in rates or service available to the public is proposed.

It appears that this is a matter in which a public hearing is not necessary, and that the application, as amended, should be granted. This action is not a determination of the existence, character or extent of operative rights. It merely permits the purchaser to acquire whatever operative right is held by the seller.

Therefore, good cause appearing,

IT IS HEREBY ORDERED that D. W. Griggs may, within sixty (60) days after the effective date of the order, sell and transfer the public utility warehouse operative right and lease the warehouse property, equipment and fixtures involved in this proceeding to Edward H. Good, in accordance with the agreements attached to the application, as amended; and that, prior to the effective date of said sale and lease, applicants shall, on not less than five (5) days' notice to the Commission and the public, supplement or reissue the tariffs on file with the Commission to show that D. W. Griggs has withdrawn or cancelled and that Edward H. Good has concurrently adopted or established as his own said rates, rules and regulations; and that the tariff filings made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 construction and filing of warehouse tariffs set forth in the Commission's General Order No. 61.

This order shall become effective twenty (20) days after the date hereof.

Dated at San Francisco, California, this 29<sup>th</sup> day of March, 1949.

R. J. [Signature]  
Justin F. [Signature]  
[Signature]  
Harold P. [Signature]

Commissioners