

ORIGINAL

Decision No. 43522

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of)
CRYSTAL ICE AND COLD STORAGE CO.,)
a corporation,)
for an order authorizing it to)
lease utility property.)
-----)

Application
No. 30744

O P I N I O N

Crystal Ice and Cold Storage Co. owns an icemaking and refrigerating plant and cold storage warehouse at 16th and R Streets, Sacramento, California. Under the authority granted by Decision No. 26301, dated August 28, 1933, applicant leased its public utility properties to August Carstensen. Contemporaneously and at all times thereafter, he has been and is now operating the properties under the firm name and style of Crystal Ice and Cold Storage Warehouse. For 1948, he reports operating revenues of \$101,899.04. He desires to be relieved of his obligation as lessee effective December 31, 1949.

Applicant Crystal Ice and Cold Storage Co. has caused to be formed under the laws of California a corporation known as Crystal Ice and Cold Storage Warehouse, which will be a wholly-owned subsidiary. Applicant proposes to lease to said corporation its properties used and useful in public utility operations on substantially the same terms and conditions previously authorized by Decision No. 26301. A copy of the lease is on file in this

application as Exhibit B. The lease is for a term of 10 years, beginning January 1, 1950. Under its terms the lessee will pay as rental for the property all of the net profits resulting from the conduct and operation of said public utility warehouse business. Applicant will bear any loss experienced by the lessee in the conduct of the warehouse business.

No change in rates or in the service available to the public is proposed by this application.

O R D E R

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

IT IS HEREBY ORDERED that Crystal Ice and Cold Storage Co., a corporation, may lease after the effective date hereof to Crystal Ice and Cold Storage Warehouse, the properties described in the lease on file in this application as Exhibit B, which lease Crystal Ice and Cold Storage Co. and Crystal Ice and Cold Storage Warehouse may execute.

IT IS HEREBY FURTHER ORDERED that prior to the effective date of said lease applicants 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 to show that August Carstensen has withdrawn or canceled and that Crystal Ice and Cold Storage Warehouse, a corporation, has concurrently adopted or established as its 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 ORDREED that within thirty (30) days after the execution of said lease, Crystal Ice and Cold Storage Warehouse shall file with the Commission a copy of the lease as executed.

IT IS HEREBY FURTHER ORDERED that the authority herein granted will become effective twenty (20) days after the date hereof.

Dated at San Francisco, California, this 15th day of November, 1949.

R. Z. [Signature]
Justin J. [Signature]
Harold P. [Signature]
Herbert [Signature]
Commissioners