

ORIGINAL

Decision No. 44832

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
SOUTHERN PACIFIC MILLING COMPANY,
a corporation, to sell and transfer,
and of Mitchell-Silliman Company, a
corporation, to purchase and acquire
a public utility warehouse at Gonzales,
California.

Application
No. 31763

O P I N I O N

Southern Pacific Milling Company, hereinafter referred to as Seller, is a California corporation engaged, among other things, in the operation of public utility warehouses at numerous places in California. It now desires to dispose of its properties at Gonzales, Monterey County, and accordingly has made arrangements, and in this application asks permission, to sell and transfer the same to Mitchell-Silliman Company, a corporation, hereinafter referred to as Buyer, for the sum of \$32,500.

The properties to be sold include one warehouse building approximately 502 feet by 66 feet and a lumber shed 220 feet by 30 feet, together with warehouse and office equipment as set forth in the application, located on land leased from the Southern Pacific Company. It is proposed that the leasehold interest will be assigned to Buyer.

The agreed consideration to be paid is the sum of \$32,500 payable in cash. Upon the effective date of the sale, Buyer will assume responsibility for all commodities on storage and will pay to Seller, in addition to said \$32,500, the accrued storage charges

on said commodities.

Buyer is a California corporation organized in 1915. Presently it is engaged in the public utility warehouse business in Salinas, Camphora, Chualar and Graves and in nonutility merchandise activities. It proposes to adopt the rates, rules and regulations now in effect governing the operations by Sellers in the premises proposed to be sold.

It appears that the transfer, as proposed, will not be adverse to the public interest and that accordingly an order should be entered.

O R D E R

The Commission having considered the above entitled matter and being of the opinion that a public hearing thereon is not necessary, and that the application should be granted, as herein provided; therefore,

IT IS HEREBY ORDERED as follows:

1. Southern Pacific Milling Company, after the effective date hereof and on or before December 31, 1950, may sell and transfer to Mitchell-Silliman Company the public utility warehouse properties referred to in this application.

2. Applicants, on 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 insofar as it names rates, rules and regulations governing warehouse operations of Southern Pacific Milling Company at Gonzales, to show that said Southern Pacific Milling Company has withdrawn or canceled and Mitchell-Silliman

Company has adopted or established as its own said rates, rules and regulations. The tariff filings made pursuant to this order in all respects shall comply with the regulations governing the filing of warehouse tariffs set forth in the Commission's General Order No. 61.

3. The action taken herein shall not be construed to be a finding of the value of the properties herein authorized to be transferred.

4. The authority herein granted is effective upon the date hereof.

Dated at San Francisco, California, this 26th day of September, 1950.

R. E. Anderson
Justin F. Caswell
Charles F. Duane
Harold P. Hule
Herbert H. Potter
Commissioners