

Decision No. 46124

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)	
GEORGE T. STORY doing business as	:	
COLLINS & CONWAY to sell and transfer)	
and of PHILIP R. COLLINS and GEORGE	:	
T. STORY, a partnership, doing business)	
as COLLINS & STORY, to purchase a	:	Application
public utility warehouse business in)	No. 32607
Robbins and Subaco, California; and	:	
of the named applicants to execute)	
evidences of indebtedness and en-	:	
cumber public utility property.)	
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O P I N I O N

In this proceeding the Commission is asked to make an order authorizing George T. Story to transfer public utility warehouse properties and business to Philip R. Collins and George T. Story, a partnership doing business as Collins & Story, and authorizing said partners to execute a deed of trust and a mortgage of chattels and to issue a promissory note in the principal amount of \$182,000.

The application shows that George T. Story is engaged in operating public utility warehouses at Robbins and Subaco for the storage of beans, rice, barley and wheat. In his financial report for the year ended June 30, 1951, he shows his revenues from his warehouse operations at \$27,974 and from other operations at \$125,346, a total of \$153,320, with net income from all sources of \$51,819, before making provision for federal income taxes. The report shows that applicant Story owns certain improvements and equipment, but that he leases land and warehouse properties from Philip R. Collins, the total rent for the fiscal period being reported at \$13,800.

It now appears that applicants have entered into a partnership agreement whereby applicant Story will transfer his warehouse equipment and business and applicant Collins his real property to the partnership, which thereafter will continue the business under the name of Collins & Story.

Applicants report that they desire to extend the operations by constructing facilities for bulk storage of rice and grain, and that they desire to borrow \$182,000 from The Anglo California National Bank of San Francisco for this purpose, said sum to be represented by a promissory note repayable in ten annual installments, with interest on unpaid balances at the rate of 5% per annum. The payment of the note will be secured by a deed of trust and by a mortgage of chattels covering the property to be transferred to the partnership.

It appears that applicant Story has been engaged in the public utility warehouse business for nine years and applicant Collins for eighteen years. They report that they have adequate working capital with which to continue the business, and that they will adopt the rates, rules and regulations now governing the operations. Accordingly, it appears that the proposed transfer will not be adverse to the public interest.

An order will be entered granting applicants' requests.

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; that the application should be granted, as herein provided;

that the money, property or labor to be procured or paid for through the issue of the note herein authorized is reasonably required by applicants for the purpose specified herein; and that such purpose is not, in whole or in part, reasonably chargeable to operating expenses or to income; therefore,

IT IS HEREBY ORDERED as follows:

1. George T. Story, after the effective date hereof and on or before December 31, 1951, may transfer his public utility warehouse business and properties to Philip R. Collins and George T. Story, a partnership doing business as Collins & Story.

2. Philip R. Collins and George T. Story, a partnership doing business as Collins & Story, after the effective date hereof and on or before December 31, 1951, may execute a deed of trust and a mortgage of chattels in, or substantially in, the same form as those filed in this proceeding as Exhibit E and Exhibit D, respectively, and may issue a promissory note in the principal amount of not exceeding \$182,000 in, or substantially in, the same form as that filed in this proceeding as Exhibit C, for the purpose of financing in part the cost of constructing bulk storage facilities.

3. On not less than five (5) days' notice to the Commission and to the public, the tariffs now on file with the Commission, insofar as they name rates, rules and regulations governing warehouse operations of George T. Story, shall be supplemented or reissued to show that George T. Story has withdrawn or canceled and that Philip R. Collins and George T. Story, a partnership doing business as Collins & Story, concurrently have adopted or established as their own said rates, rules and regulations. The tariff filings made pursuant to this order in all respects shall comply with the regulations governing the construction and filing of warehouse tariffs set forth

in the Commission's General Order No. 61.

4. Within thirty (30) days after issue of the note herein authorized, applicant shall file a true and correct copy with the Commission.

5. The authority herein granted will become effective when applicants have paid the fee prescribed by Section 57 of the Public Utilities Act, which fee is one hundred eighty-two (\$182.00) dollars.

Dated at San Francisco, California, this 28th day of August, 1951.

[Handwritten signature]
Justice F. Quinn
[Handwritten signature]

Commissioners

