

ORIGINAL

Decision No. 48295

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of RICHARD E. LYNQ and	)	
ESTATE OF SARAH C. LYNQ doing business	:	
as ED. J. LYNQ COMPANY, to sell,	)	
and MELVIN HILLER, OSCAR ZEBAL and	:	Application
PHILIP KAEEL to buy the ED. J. LYNQ COMPANY	)	No. 34097
WAREHOUSE at Palora Station, Sutter	:	
County, California, and for authority	)	
to discontinue service at Oswald, Calif.	:	
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OPINION AND ORDER

Richard E. Lyng, applicant herein, is the owner of an undivided one-half interest in certain public utility warehouse property at Palora Station, Sutter County, with the Estate of Sarah C. Lyng being the owner of the remaining undivided one-half interest. In this application Richard E. Lyng, individually and as the executor of the last will and testament of Sarah C. Lyng, seeks authorization to sell the warehouse property and equipment to Melvin Hiller, Oscar Zebal and Philip Kael for a cash consideration of \$60,000.

The property involved in the transaction consists of approximately 1-1/2 acres of real property, a warehouse building containing approximately 22,800 square feet of storage space, a grain cleaning plant, a 7-room dwelling and miscellaneous equipment. The original cost is stated at \$68,861.90 and the book cost at \$51,988.59.

The application indicates that the purchasers for many years have been associated with Rosenberg Brothers and Company, are familiar with the public utility warehouse business, and financially are in a position to finance the acquisition. No change is proposed in the service available to the public or in the rates, rules and regulations.

In addition to the operations at Palora Station, Richard E. Lyng and Sarah C. Lyng at one time operated warehouse facilities at Oswald and the tariff presently on file names rates for storage at that point. According to the verified application the lease on the premises at Oswald has expired, the properties no longer are being used for public storage, and the need for storage at that point no longer exists. The Commission is requested to authorize the discontinuance of the service at Oswald.

We are of the opinion that this is not a matter on which a public hearing is necessary, that the transfer of property and the discontinuance are not adverse to the public interest, and that authorization should be granted as requested. The action taken herein shall not be construed to be a finding of the value of the properties herein authorized to be transferred.

Therefore, good cause appearing,

IT IS HEREBY ORDERED that Richard E. Lyng, individually, and Richard E. Lyng as the executor of the last will and testament of Sarah C. Lyng, deceased, be, and he hereby is, authorized to transfer, within sixty days after the effective date hereof, the public utility warehouse properties located at Palora Station to Melvin Hiller, Oscar Zebal and Philip Kael, and to discontinue public utility warehouse service at Oswald, provided that applicants, on not less than five days' notice to the Commission and to the public, shall supplement or reissue the tariffs now on file with the Commission insofar as they name rates, rules and regulations governing warehouse operations of Richard E. Lyng and Sarah C. Lyng, to show that they have withdrawn or canceled and that Melvin Hiller, Oscar Zebal and Philip Kael concurrently have adopted or established as their own said rates, rules and regulations applicable to operations

at Palora Station. 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.

The authority herein granted will become effective upon the date hereof.

Dated at San Francisco, California, this 24<sup>th</sup> day of February, 1953.

*R. I. [Signature]*  
President

*Justin J. [Signature]*  
*Harold [Signature]*

*Frederick [Signature]*  
*John E. [Signature]*  
Commissioners