

Decision No. 48375

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
MERCHANTS EXPRESS CORPORATION, a)
corporation, for a certificate of)
public convenience and necessity to)
operate a public warehouse at)
Sacramento, California.)

Application No. 34099

OPINION AND ORDER

Applicant seeks a certificate of public convenience and necessity to operate as a warehouseman, as defined in Section 239 of the Public Utilities Code, at Sacramento, California.

Applicant alleges that it has been in continuous operation at Sacramento as a warehouseman since July 1, 1950, at which time the population of Sacramento was less than 150,000. Applicant further alleges that such population now exceeds 150,000 and therefore a certificate is now required pursuant to the provisions of Section 1051 of the Public Utilities Code.

The Commission is of the opinion that applicant, having begun to operate the business of a warehouseman prior to the time Sacramento attained a population of 150,000 or more, is not required to obtain a certificate of public convenience and necessity in order to continue to conduct such business. The application will be dismissed. A public hearing is not necessary.

Therefore good cause appearing,

IT IS ORDERED that Application No. 34099 is dismissed.

The effective date of this order shall be twenty days after the date hereof.

Dated at San Francisco, California, this 17th day of March, 1953.

R. T. Dunning
President
Justus T. O'Brien
Harold L. Lyle
Thomas R. Lyster
John C. Mitchell
Commissioners