

Decision No. 48895**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
 RUSSELL S. STOWELL and ALBERT COMPHER, )  
 as co-partners, doing business as )  
 PACIFIC TRANSFER AND STORAGE CO., to )  
 file a new tariff covering PUBLIC )  
 WAREHOUSE OPERATIONS in San Diego, )  
 California. )

Application No. 34520

OPINION AND ORDER

Russell S. Stowell and Albert Comphor, as co-partners, doing business as Pacific Transfer and Storage Co., conduct public utility warehouse operations at San Diego. By this application they seek authority to cancel their present warehouse tariff, Pacific Transfer, Van & Truck Co. Warehouse Tariff No. 1, Cal. P.U.C. No. 1, and become a party to California Warehouse Tariff Bureau Tariff No. 14, Cal. P.U.C. No. 63, Jack L. Dawson, Agent. Increases in rates and charges are involved. No change is proposed in service available to the public.

Applicants acquired this business from Pacific Transfer, Van & Truck Co., Inc. pursuant to Decision No. 48408 of March 24, 1953, in Application No. 34020, and adopted the warehouse tariff of the former operators. Applicants point out that the tariff became effective June 9, 1927, and that although costs have increased greatly, the rates and charges set forth therein have not been changed since. It is alleged that it is impossible to continue operations under this tariff without sustaining a substantial loss. It is also alleged that the rates and charges set forth in Tariff No. 14 of the California Warehouse Tariff Bureau are not compensatory but that the proposed adoption of this tariff would more nearly provide adequate compensation for the service. Applicants pointed out that all other warehousemen in San Diego are parties to Tariff No. 14 and contend that it is in the interest of the public and warehousemen to have a uniform tariff in San Diego.

Applicants have notified each of their patrons and other interested parties of the filing of this application. No objection has been offered to its being granted. It appears that this is a matter in which a public hearing is not necessary and that the sought authority should be granted and that the increases in rates resulting therefrom are justified. ✓

Therefore, good cause appearing, ✓

IT IS HEREBY ORDERED that Russell S. Stowell and Albert Compher, as co-partners, doing business as Pacific Transfer and Storage Co., be and they are hereby authorized, on not less than five days notice to the Commission and the public, to cancel their present warehouse tariff, Pacific Transfer, Van & Truck Co. Warehouse Tariff No. 1, Cal. P.U.C. No. 1, and concurrently to become a party to California Warehouse Tariff Bureau Tariff No. 14, Cal. P.U.C. No. 63, Jack L. Dawson, Agent, so as to make the rates, rules and regulations set forth in said Tariff No. 14 apply in lieu of applicants' present tariff for warehousing service provided by them in the City of San Diego.

IT IS HEREBY FURTHER ORDERED that the authority herein granted is subject to the express condition that applicants will never urge before the Commission in any proceeding under Section 734 of the Public Utilities Code, or in any other proceeding, that the opinion and order herein constitute a finding of fact of the reasonableness of any particular rate or charge, and that the filing of rates and charges pursuant to the authority herein granted will be construed as consent to this condition.

IT IS HEREBY FURTHER ORDERED that the authority herein granted shall expire unless exercised within sixty days after the effective date of this order.

This order shall become effective twenty days after the date hereof.

Dated at San Francisco, California, this 28th day of July, 1953.

*R. Z. [Signature]*  
President  
*Justice J. [Signature]*  
*Harold A. [Signature]*  
*Samuel [Signature]*  
Commissioners

Commissioner Peter E. Mitchell, being necessarily absent, did not participate in the disposition of this proceeding.