

Decision No. 53591

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Tony Di Tommaso,)	
doing business as Santa Monica	:	
Cold Storage Company, to Transfer)	
his Public Utility Warehouse Busi-	:	Application No. 38265
ness and the Business Facilities)	
to Benedict F. Killam and Myrtle	:	
Chatenay Hernage, doing business)	
as Santa Monica Cold Storage Com-	:	
pany.)	
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OPINION AND ORDER

This is an application for an order (1) authorizing Tony Di Tommaso, doing business as Santa Monica Cold Storage Company, to transfer his food warehouseman business to Benedict F. Killam and Myrtle Chatenay Hernage, and (2) authorizing Tony Di Tommaso, Lucille Di Tommaso, Benedict F. Killam, and Myrtle Chatenay Hernage, to enter into a lease which includes property used in the public utility operations of Santa Monica Cold Storage Company.

The application shows that Tony Di Tommaso has been carrying on the business of a food warehouseman in facilities occupying a small portion of Lots M, N, and O of Block 187, Santa Monica, which property is owned by him and his wife, Lucille Di Tommaso.

It appears that Tony Di Tommaso desires to retire from operating the food warehouse business and from managing and controlling the remaining portions of said Lots M, N, and O, which are rented to various tenants for their private use, and that Benedict F. Killam and Myrtle Chatenay Hernage are willing, and financially able, to lease the entire premises and to carry on the food warehouse business.

The lease agreement provides that Di Tommaso will assign his warehouse operations to the lessees.

The Commission has given consideration to this application and is of the opinion that a public hearing is not necessary, and that the proposed transfer and lease will not be adverse to the public interest; therefore,

IT IS HEREBY ORDERED as follows:

1. Tony Di Tommaso, doing business as Santa Monica Cold Storage Company, on and after the date hereof and on or before December 31, 1956, may transfer his food warehouseman business and operations to Benedict F. Killam and Myrtle Chatenay Hernage.

2. Tony Di Tommaso and Lucille Di Tommaso, Lessors, and Benedict F. Killam and Myrtle Chatenay Hernage, Lessees, may enter into a lease in, or substantially in, the same form as that filed in this proceeding.

3. On not less than five days' notice to the Commission and to the public, effective with the consummation of such transfer, applicants shall supplement or reissue the tariffs now on file with the Commission, insofar as they name rates, rules and regulations governing the warehouse operations here involved, to show that Tony Di Tommaso has withdrawn or cancelled and that Benedict F. Killam and Myrtle Chatenay Hernage have adopted or established, as their own, said rates, rules and regulations. The tariff filings made pursuant to this order shall comply in all respects with the regulations governing the construction and filing of warehouse tariffs set forth in the Commission's General Order No. 61.

4. The authority herein granted will become effective on the date hereof.

Dated at San Francisco, California, this 21st day of August, 1956.

President
Justin J. Calmes

Robert W. Luterer

R. H. Hodge

Commissioners