

ORIGINAL

Decision No. 53788

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)	
of Crescent Warehouse Company, Ltd.,)	
a corporation, to transfer a certifi-)	
cate of public convenience and)	Application No. 37888
necessity to operate the business of)	
the warehouseman to Bekins Warehousing)	
Corp., a corporation.)	

OPINION AND ORDER

Crescent Warehouse Company, Ltd., conducts public utility warehouse operations at 101 South Seaside Avenue, Terminal Island, Los Angeles and in leased premises at 1110 West Third Street, Long Beach. The warehouse rights at Long Beach were obtained as prescriptive rights by its predecessor, Crescent Wharf & Warehouse Company, and were transferred to Crescent Warehouse Company, Ltd., by Decision No. 48207 in Application No. 34008. Bekins Warehousing Corp., conducts public utility warehouse operations at various California points. By this application, Crescent Warehouse Company, Ltd., seeks to sell and transfer the Long Beach operative rights to Bekins Warehousing Corp., for a cash consideration of \$500.00, of which the sum of \$50.00 is for the certificate and the balance of \$450.00 is for good will.

The application shows that Bekins Warehousing Corp. will conduct, under the warehouse rights herein proposed to be transferred, a public utility warehousing operation similar to that heretofore conducted by Crescent Warehouse Company, Ltd.,

in the City of Long Beach, although at different locations, utilizing, through lease, locations and portions of the facilities owned by its affiliate, Bekins Van & Storage Co. The Long Beach facilities proposed to be used are located at 1430 East Anaheim Boulevard, 1043 East Sixth Street and 2101 East Carson Street.

According to the application, Bekins desires to acquire the prescriptive warehouse rights of Crescent in order that Bekins may render in the City of Long Beach the same type of service which it renders at other warehouse locations in cities in proximity thereto and throughout the State of California. The application states that Bekins is attempting to serve the Long Beach area through its warehouse at Wilmington, but such warehouse is approximately six miles distant from the center of Long Beach and is, therefore, not conveniently located to serve the Long Beach patrons of Bekins.

Applicants allege that the merchandise accounts heretofore storing with Crescent have been advised of Crescent's intent to withdraw from warehouse operations in Long Beach and said accounts have been removed to the warehouse facilities of Crescent at Terminal Island, Los Angeles.

By amendment to the application, applicants state that, if the transfer is authorized, Bekins proposes to assess rates named in California Warehouse Tariff Bureau Warehouse Tariff No. 7-C, Cal.P.U.C. No. 102 (L.A. Bailey series). These rates are higher than those presently in effect in Crescent Warehouse Company Warehouse Tariff No. 1, Cal.P.U.C. No. 1.

The rates in Crescent Warehouse Tariff No. 1 have not been increased since the tariff became effective on January 14, 1939. The amendment to the application states that since 1939

labor and other costs have increased. Bekins asserts that the rates proposed to be assessed under Warehouse Tariff No. 7-C are just and reasonable for the warehouse service to be conducted at Long Beach by Bekins. The proposed rates are in effect at other Southern California warehouses operated by Bekins.

Interested parties have been notified of the filing of the application and of the amendment thereto. No objection has been received.

In the circumstances, it appears that this is a matter in which a public hearing is not necessary, that the proposed transfer is not adverse to the public interest, and that the increase in rates is justified. The application, as amended, will be granted.

Therefore, good cause appearing,

IT IS HEREBY ORDERED:

(1) That Crescent Warehouse Company, Ltd., may transfer to Bekins Warehousing Corp., the prescriptive warehouse operative rights at Long Beach acquired by Decision No. 48207 in Application No. 34008.

(2) That within sixty days after the effective date hereof, concurrently with the consummation of such transfer, and on not less than five days' notice to the Commission and the public, Crescent Warehouse Company, Ltd., shall cancel its Warehouse Tariff No. 1, Cal.P.U.C. No. 1, and Bekins Warehousing Corp., shall cause California Warehouse Tariff Bureau Warehouse Tariff No. 7-C, Cal.P.U.C. No. 102 (L.A. Bailey series) to be made effective at the proposed warehouse locations in Long Beach set forth in the application.

(3) That the tariff filings made pursuant to this order shall in all other respects comply with the regulations governing the construction and filing of warehouse tariffs set forth in the Commission's General Order No. 61.

(4) 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.

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

Dated at San Francisco, California, this 17th day of September, 1956.

Peter E. Mitchell
President
James J. Craemer
Raulo Intermine
William J. Dwyer
B. Hardy
Commissioners