

Decision No. 54453**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)	
of)	
CAMP & FELDER TERMINAL COMPANY,)	Application No. 38461
a California Corporation,)	
To Discontinue Service as a)	
Public Utility.)	

Lawrence W. Young, for applicant.
Leonard R. Diamond, for the
 Commission Staff.

O P I N I O N

This application filed September 27, 1956, requests authority pursuant to Sections 454 and 851 of the Public Utilities Code to withdraw from public service at its open yard cotton bale storage area in Calico, California, located on U. S. Highway 99 approximately three miles south of McFarland. It is alleged that at no time has applicant held itself out to serve the public; that its only customers have been S. A. Camp Ginning Company and W. D. Felder & Company its only stockholders; that it has never filed any rates, rules or regulations or tariffs with this Commission; and that the public will not be adversely affected because there are ample other facilities for the public to store its cotton bales in this area.

Public hearing was held in Calico, California, on December 4, 1956 before Examiner John Rowe, at which time evidence, both oral and documentary, was adduced and the matter duly submitted for decision.

Applicant has a lease on a former airfield, a large part of which has a concrete surface. From time to time a portion of this space is rented to W. D. Felder Compress Company, another company with the same stockholders as applicant. This company operates a compress and has some storage facilities operated as a public warehouse with tariffs filed with this Commission.

Most of the storage performed by applicant is for the S. A. Camp Ginning Company which has several ginning plants. These plants have very limited outdoor space for storing the bales of cotton. Consequently, these plants send their cotton bales to applicant for storage. Applicant issues to S. A. Camp Ginning Company a negotiable yard receipt. This receipt form states that all ginning charges, insurance and storage for the first twenty days has been paid. These receipts being dated, show the name of the truck driver delivering the cotton, the gin weight and contain a bale and receipt number. It is provided that storage charges for the bale after the first twenty days is four cents per day.

This receipt being negotiable is delivered to the purchaser who upon payment of accrued storage is entitled to delivery of the bale upon surrender of the receipt. According to the testimony this same procedure is followed by other ginning companies who usually have open air storage space adjacent to their gins. Through the use of interlocking corporations the S. A. Camp Ginning Company stores its bales on applicant's ground and instead of issuing their own receipts delivers to the purchaser the receipts issued to it by applicant.

Notice of the hearing was given by publication to the public but no one appeared to protest this application. According to the testimony no members of the public except S. A. Camp Ginning Company and W. D. Felder & Company ever deposit cotton

for storage on applicant's storage ground. Most of the cotton stored by S. A. Camp Ginning Company is purchased and removed by W. D. Felder & Company which pays the storage charges to applicant. Some other purchasers may receive delivery of this cotton also by surrendering the receipt and paying the storage charges which have accrued.

The Commission staff appeared and assisted in developing the record and protecting the public interest. The Commission finds that applicant has never held itself out to the public as a public utility warehouse and has never served the public as such. It is further found that the public will not be adversely affected by the granting of this application.

O R D E R

Application therefor having been filed, public hearing having been held and basing its decision on the findings in the above opinion,

IT IS ORDERED that Camp & Felder Terminal Company is found never to have been a public utility warehouse and is relieved of any obligation to carry on a public warehouse or storage business.

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

Dated at Los Angeles, California, this 29th day of JANUARY, 1957.

[Signature]
 President
[Signature]
[Signature]
[Signature]
 Commissioners