

Decision No. 57155

**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of SIGNAL TRUCKING SERVICE, LTD., a corporation, for a certificate auth- orizing the operation of a warehouse.	) ) )	Application No. 40113
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OPINION AND ORDER

Applicant conducts public utility warehousing facilities in Vernon, in the Wilmington district of Los Angeles, and in Long Beach.<sup>1</sup>

By this application a certificate of public convenience and necessity is sought to operate 105,000 additional square feet of warehouse space in Long Beach.

The application states that applicant's warehousing operations in Long Beach are conducted in a modern warehouse of 76,000 square feet. It also states that the growth of the city of Long Beach, and the increasing volume of traffic handled through the Long Beach harbor, make additional warehousing facilities imminently and urgently needed. Applicant states that to meet the demand for additional warehouse space, the Long Beach Harbor Department is currently constructing a warehouse, to be known as Warehouse No. 6, at a cost in excess of \$500,000. This warehouse is being constructed in the immediate vicinity of applicant's existing Long Beach warehouse facility. The spur track facilities serving the existing warehouse will also serve the new warehouse. The application further states that the new warehouse will contain 105,000 square feet of net storage area, and that applicant has undertaken to lease the warehouse from the Long Beach Harbor Department. The new warehouse will be ready for occupancy on or

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<sup>1</sup> Applicant also holds radial highway common, highway contract and city carrier permits, and certificates of public convenience and necessity for the transportation of general commodities and petroleum products in tank vehicles.

about September 1, 1958. Applicant states that the rates to be charged are those contained in its tariffs on file with this Commission.

The application shows that on or about May 22, 1958, copies of the application were served upon California Warehousemen's Association, Los Angeles Warehousemen's Association and upon other warehousemen operating in Long Beach. No objection has been received to its being granted.

In the circumstances, it appears, and the Commission finds, that public convenience and necessity require the granting of the authority sought. A public hearing is not necessary.

Applicant is hereby placed on notice that operative rights, as such, do not constitute a class of property which may be capitalized or used as an element of value in rate-fixing for any amount of money in excess of that originally paid to the State as the consideration for the grant of such rights. Aside from their purely permissive aspect, they extend to the holder a full or partial monopoly of a class of business. This monopoly feature may be changed or destroyed at any time by the State, which is not in any respect limited to the number of rights which may be given.

Therefore, good cause appearing,

IT IS ORDERED:

(1) That a certificate of public convenience and necessity is hereby granted to Signal Trucking Service, Ltd., a corporation, authorizing it to operate a business as a warehouseman, as defined in subdivision (b) of Section 239 of the Public Utilities Code, utilizing not more than 105,000 square feet of additional storage warehouse floor space in the city of Long Beach at a location to be known as Warehouse No. 6 of the Port of Long Beach (adjacent to 1500 West 8th Street) subject to the following condition:

"That applicant shall not add to, extend, or otherwise increase its storage or warehouse floor space at said location without first having obtained from this Commission a certificate declaring that public convenience and necessity require such addition or extension or increase of such storage or warehouse floor space."

(2) That in providing service pursuant to the certificate herein granted applicant shall comply with and observe the following service regulations:

(a) Applicant shall file a written acceptance of the certificate herein granted within a period of not to exceed sixty days after the effective date hereof.

(b) Within ninety days after the effective date hereof and on not less than five days' notice to the Commission and to the public, applicant shall establish the service herein authorized and file in triplicate and concurrently make effective amendments to its tariffs satisfactory to the Commission to reflect the authority herein granted.

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

Dated at San Francisco, California, this 12<sup>th</sup> day of August, 1958.

*E. L. Fox*  
 President

*J. C. [unclear]*

*[unclear]*

*[unclear]*

Commissioners