

Decision No. 58650**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

The application of J. D. HEISKELL &)	
CO., INC., a California corporation,)	Application No. 41058
to Discontinue service as a Public)	(as amended)
Utility and to Cancel Rates.)	

OPINION AND ORDER

J. D. Heiskell & Co., Inc., a corporation, conducts a public utility warehouse operation at Tulare. By this application, as amended, it seeks authority to discontinue this operation.

According to the application, as amended, there are only three patrons using the applicant's services; that no warehouse receipts were requested or issued to said patrons; and that the grain is not stored for shipment or sale, but for withdrawal and use by said patrons. The aforementioned patrons may receive similar services within the same district from warehouses located at Corcoran and Porterville, 18 and 24 miles from Tulare, respectively. The total gross receipts of applicant, as a warehouseman, for the past three years are shown in the application as follows:

1955-56	-----	\$305.12
1956-57	-----	128.74
1957-58	-----	377.49

Applicant alleges that its services as a warehouseman are limited to the storage of sacked grain and beans only; that such storage is no longer customary in the area involved; and that there is practically no demand for this type of storage. Applicant states that its warehouse was found to be infested with kapra beetles; that the warehouse was quarantined from March, 1955 to September, 1955; and that sacked grain cannot be effectively protected from further infestation of the kapra beetle.

By amendment to the application, applicant further states that it proposes to continue to store the barley remaining in storage under the terms of Warehouse Tariff No. 1, Cal. P.U.C. No. 1, until said barley is withdrawn by the patrons of the applicant, in due course; and that new lots of beans, grain or barley will not be accepted by applicant for storage after the date of the order of the Commission authorizing applicant to discontinue services as a public utility.

Upon consideration of the allegations contained in the application, it appears, and the Commission finds, that the proposed discontinuance of the public utility warehouse operations herein involved will not be adverse to the public interest. The applicant will be authorized to withdraw from these operations, subject to conditions designed to protect the interests of its present patrons. A public hearing is not necessary.

Therefore, good cause appearing,

IT IS ORDERED that J. D. Heiskell & Co., Inc., is hereby authorized to discontinue its public utility warehouse operations at Tulare, subject to the following conditions:

1. Applicant shall continue as a public utility warehouseman, rendering all services specified in its tariffs, at rates and charges therein provided, so long as any property remains in storage in its warehouse; except that from and after the date of filing the written acceptance specified in Condition 2 hereof, applicant shall not be required to receive any additional goods for storage.
2. Applicant shall, within ten days after the effective date of this order, file with the Commission its written acceptance of this order, including all of the provisions and conditions thereof.
3. Applicant shall cause to be prepared and to be mailed or otherwise delivered to each of its storage patrons on or before twenty days after the effective date of this order, a true and complete copy of this order.

4. Applicant shall, promptly on removal of all stored property from its warehouse, (a) file with the Commission a verified statement that it has fully complied with Conditions 1, 2 and 3 and (b) cancel all tariffs, concurrence and powers of attorney which it has on file with the Commission.

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

Dated at San Francisco, California, this 23rd day of June, 1959.

E. Lynn Fox
President
W. C. [unclear]
W. [unclear]
Theodore H. [unclear]
Ernest W. [unclear]
Commissioners