

Decision No. 59949**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of  
 CONSOLIDATED TERMINALS, INC., a  
 California corporation, for a  
 certificate of public convenience  
 and necessity to transact business  
 as a public warehouseman.

Application No. 41643

Frank Loughran, for applicant.  
Ray James, for James Van Lines, interested party.  
John R. Laurie, for the Commission staff.

O P I N I O N

Consolidated Terminals, Inc., requests a certificate of public convenience and necessity to operate as a public warehouseman in the City of San Jose.

A public hearing was held before Examiner Thomas E. Daly on March 15, 1960 at San Jose and the matter was submitted upon the receipt of late-filed Exhibit No. 1, since filed and considered.

The property is located at 1600 South First Street, San Jose and consists of 4½ acres. It is served by spurs of the Western Pacific Railroad Company and the Southern Pacific Company. Situated on the property is a wooden-frame building consisting of approximately 43,000 square feet. Prior to 1956 the property was situated outside of the city limits, but has since been incorporated within the City of San Jose.

Applicant has been engaged in private warehouse operations since 1938, but because of the tremendous growth and development of the area desires to dedicate its service to the public generally.

It proposes rates that will be competitive, in most instances, with those of the existing warehouses in the area. Because of lack of experience in storing certain commodities, applicant's proposed rates in those instances are higher than those generally charged. Such rates are not intended to be discriminatory, it was asserted, but will be reduced as experience pegs the proper level. As of September 30, 1959, applicant indicated a net worth of \$240,142.12 and for the year ending July 31, 1959 it realized a net profit of \$4,574.00.

A representative of Wesson Oil Company testified that his company has stored with applicant for fifteen years on a contractual basis. He stated that his company is satisfied with applicant's service and desires to use the proposed certificated service because certification would tend to perpetuate the operation and would provide his company with standard rates and charges. In the absence of protest it was stipulated that other persons present at the hearing would testify substantially the same. These individuals represented such companies as Continental Can Co., E. I. Du Pont de Nemours Co., International Business Machines and Rosicrucian Press.

The owner of the James Van Lines, a certificated public warehouse operator in the San Jose area, appeared as an interested party and supported the application. He was of the opinion that applicant was amply qualified both financially and from experience to render the proposed service. From a competitive point of view, he stated that it would be to his advantage if applicant's tariff were on file with this Commission.

After consideration the Commission is of the opinion and so finds that public convenience and necessity require the granting of the authority sought.

O R D E R

Application having been filed and the Commission being informed in the premises,

IT IS ORDERED:




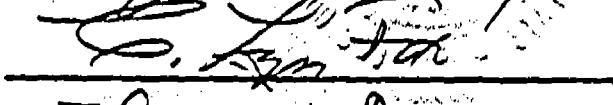
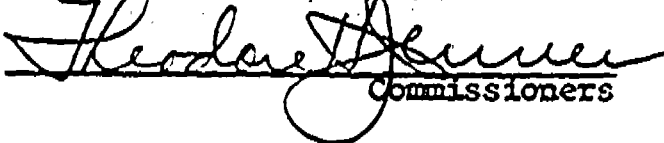
(1) That a certificate of public convenience and necessity is hereby granted to Consolidated Terminals, Inc., authorizing the operation of 43,000 square feet of warehouse floor space in the City of San Jose for the storage of property as a public utility warehouseman.

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

- (a) Within thirty days after the effective date hereof, applicant shall file a written acceptance of the certificate herein granted.
- (b) Within sixty days after the effective date hereof, and on not less than ten days' notice to the Commission and to the public, applicant shall establish the service herein authorized and file in triplicate and concurrently make effective, tariffs satisfactory to the Commission.

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

Dated at San Francisco, California, this  
19th day of April 1960.

  
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President  
  
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Commissioners