

**ORIGINAL**

Decision No. 61419

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application )  
of MUELLER TRUCK CO., a corporation, )  
for a certificate authorizing the )  
operation of a warehouse. )

Application No. 42142

Berol and Geernaert by Edward M. Berol and  
George M. Carr, for applicant.  
Gordon, Knapp, and Gill and Hibbert, by  
Wyman C. Knapp, for Bekins Warehousing  
Corporation and Lyon Van and Storage  
Company; E. J. Langhofer, for the San  
Diego Chamber of Commerce; and Jackson W.  
Kendall, for Bekins Warehousing  
Corporation, interested parties.

O P I N I O N

Mueller Truck Co. presently rendering service as a highway common carrier and a private warehouseman requests authority to operate a public warehouse in National City.

A public hearing was held before Examiner Thomas E. Daly on December 7, 1960, at San Diego and the matter was submitted.

By the application filed April 12, 1960, applicant requested a certificate of public convenience and necessity authorizing the operations of a public warehouseman utilizing 40,000 square feet of storage space. During the course of hearing, applicant amended the application by limiting the storage space to 25,000 square feet. Upon the amendment the appearances of Bekins Warehousing Corporation and Lyon Van and Storage Company were changed from protestants to that of interested parties.

In connection with its operations as a highway common carrier between the Los Angeles Territory, on the one hand, and the San Diego Territory, on the other hand, including intermediate and off-route points, applicant has warehoused goods for its customers

as a private warehouseman. According to applicant the volume of such private warehouse business has increased and if it is to continue to meet the requests made its warehouse operations will be in a public rather than a private category.

Applicant through National Freight Terminals, a subsidiary, has under construction new terminal and warehouse facilities which will be located at 2800 Tideland Avenue, National City.

As of September 30, 1960, applicant indicated a net worth in the amount of \$175,789.75. For the year 1959 it realized a net profit in the amount of \$13,690.53.

The San Diego Chamber of Commerce appeared in support of the application and introduced exhibits reflecting the economic growth and development of the San Diego Area.

Applicant was prepared to call thirty public witnesses, but in the absence of protest their names, as well as the names of the companies which they represent, were received in evidence in the form of late-filed Exhibit No. 6.

After consideration, the Commission finds and concludes 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 Mueller Co., a corporation, authorizing it to operate as a public utility warehouseman, as defined in Section 239(b) of the Public Utilities Code, in the operation of storage or warehouse floor space as more particularly set forth in Appendix A attached hereto and made a part hereof.

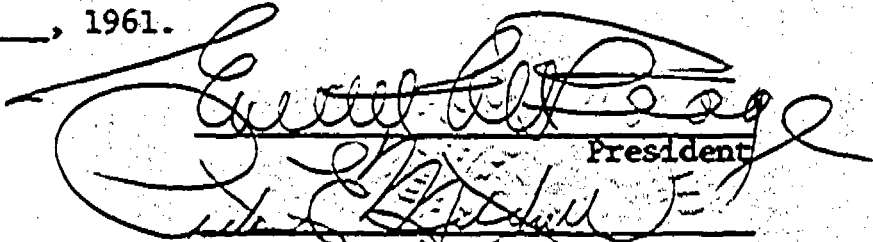
2. That applicant shall not exceed the 25,000 square feet of storage space authorized in Appendix A attached hereto upon original establishment or by subsequent addition, extension or other increase without a showing in a supplemental proceeding.

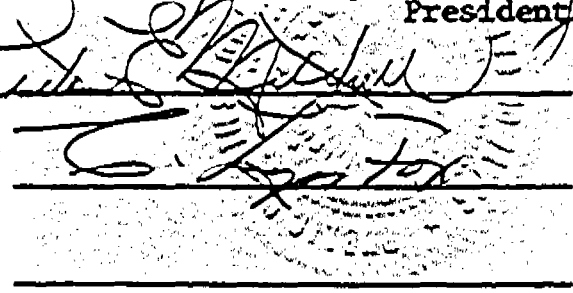
3. That, in providing service pursuant to the certificate herein granted, applicant shall comply with and observe the following service regulations:

- (a) Within thirty days after the effective date hereof, applicant shall file a written acceptance of the certificate herein granted. By accepting the certificate of public convenience and necessity herein granted, applicant is placed on notice that it will be required, among other things, to file annual reports of its operations. Failure to file such reports, in such form and at such time as the Commission may direct, may result in a cancellation of the public utility warehouse operations authorized by this decision.
- (b) Within one hundred twenty days after the effective date hereof, and on not less than ten days' notice to the Commission and 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 24th day of January, 1961.

  
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 President

  
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Commissioners

Mueller Truck Co., a corporation, is authorized to operate as a public utility warehouseman for the operation of storage or warehouse floor space as follows:

<u>Location</u>	<u>Number of Square Feet of Floor Space</u>
National City	25,000

NOTE: Applicant may not add to, extend or otherwise increase its storage or warehouse floor space without specific authority from the Commission.

(End of Appendix A)

Issued by California Public Utilities Commission.

Decision No. 61412, Application No. 42142.