

ORIGINAL

Decision No. 62062

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Investigation on the Commission's
own motion into warehouse operative
rights of BLASI TRANSPORTATION, a
corporation.

Case No. 6953

O P I N I O N

The Commission instituted the present investigation on September 13, 1960. Its purpose is to determine whether or not respondent has acquired a prescriptive right as a public utility warehouseman by reason of operations conducted in good faith on September 1, 1959 under tariffs and schedules of respondent lawfully on file with the Commission. Respondent filed a written response to the order alleging that it was, in fact, operating certain floor space as a public utility warehouseman in good faith on said date under tariffs and schedules lawfully on file with the Commission.

Subsequent to filing such response, respondent has communicated to the Commission in writing its consent to the entry of a finding as hereinafter set forth. A public hearing is not necessary.

The Commission finds that respondent was not conducting, in good faith, operations as a public utility warehouseman, as defined by Section 239(b) of the Public Utilities Code, on September 1, 1959 under tariffs and schedules lawfully on file with the Commission.

O R D E R

Investigation having been instituted on the Commission's own motion and the Commission basing its order upon the responses filed by respondent and the finding set forth in the foregoing opinion,

IT IS ORDERED that:

1. Any and all purported operative rights of Blasi Transportation, a corporation, as a public utility warehouseman, as that term is defined in Section 239(b) of the Public Utilities Code, are hereby annulled.

2. Any and all powers of attorney on file with the Commission in the name of Blasi Transportation, as a public utility warehouseman, are hereby canceled.

3. Warehouse Tariff No. 1, Cal. P.U.C. No. 1 of Blasi Transportation, a corporation, is hereby canceled.

4. This proceeding is discontinued upon the effective date hereof.

The Secretary is directed to cause service of a certified copy of this order to be made forthwith upon respondent.

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

Dated at San Francisco, California, this 31st day of May, 1961.

[Signature]

President

[Signature]

George H. Hoover

Frederick B. Halbach

Commissioners