

ORIGINAL

Decision No. 62765

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
Ernest Rubke, doing business as) Application No. 43815
RUBKE WAREHOUSE to Discontinue Service) (Filed October 5, 1961)
as a Public Utility Warehouseman at)
Marysville and to Cancel Rates.)

OPINION AND ORDER

Ernest Rubke is currently conducting a public utility warehouse operation in the vicinity of Marysville, Yuba County.¹ By this application he seeks authority to withdraw this operation from public utility service.

The application states that the majority of farmers in the Marysville area are no longer devoting their acreage to the production of beans, the principal commodity stored; that the growers for a number of years have planted their acreage to orchard or other crops; that there is no indication that this trend will change in the future; that due to the small acreage now planted to beans in the Marysville area it is not feasible for applicant to operate and maintain a warehouse to accommodate the small amount of beans now being grown in the area. Applicant states that he currently has in storage approximately 2,000 bags of beans and that he will maintain the warehouse as a public utility until such time as merchandise now in storage is removed at owners' request. Applicant further states that he has notified all of the present storers of his desire to discontinue service

¹ The warehouse operative rights of Ernest Rubke were determined by order of the Commission dated August 1, 1960 in Case No. 6735.

and of the filing of this application; that no objections were made by any of said storers; and that there are ample warehouse facilities in the Marysville area offering the same rates as are applicable at his facility.

Upon consideration of the allegations contained in the application, it appears, and the Commission finds, that the proposed discontinuance and abandonment of the public utility warehouse operation as sought herein will not be adverse to the public interest. The applicant will be authorized to withdraw from said operation and cancel the tariffs applicable thereunder, subject to conditions designed to protect the interests of his patrons. A public hearing is not necessary.

Good cause appearing,

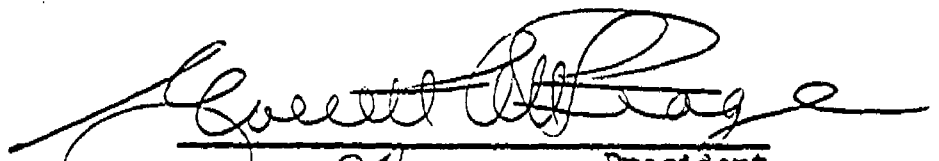
IT IS ORDERED that the prescriptive operative right as a public utility warehouseman, possessed by Ernest Rubke as determined by order dated August 1, 1960, in Case No. 6735, is hereby revoked subject to the following conditions:

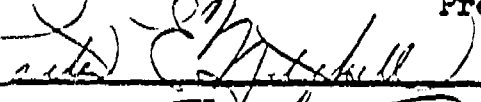
1. Applicant shall continue as a public utility warehouseman, rendering all services specified in his tariffs, at rates and charges therein provided, so long as any property remains in storage in his warehouse; except that from and after the date of filing the written acceptance specified in Condition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

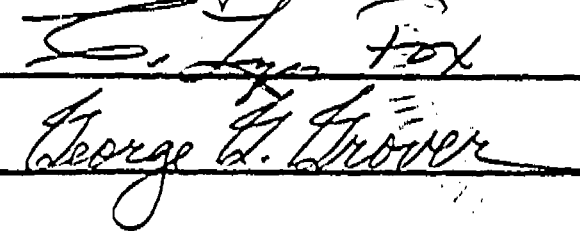
4. Applicant shall, promptly on removal of all stored property from his warehouse, (a) file with the Commission a verified statement that he has fully complied with Conditions 1 to 3, inclusive, and (b) cancel all tariffs, concurrences and powers of attorney which he has on file with the Commission.

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

Dated at San Francisco, California, this 7th day of November, 1961.



President




Commissioners

Commissioner ~~Frederick B. Holoboff~~, being necessarily absent, did not participate in the disposition of this proceeding.