

ORIGINAL

Decision No. 63638

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of MORRELL HOLLY COLD STORAGE CO.,)
formerly known as MORRELL COLD)
STORAGE CO., a corporation, for)
authorization to discontinue cold)
storage warehouse operations at)
Oakland, California.)

Application No. 44301
(Filed March 28, 1962)

OPINION AND ORDER

Morrell Cold Storage Co., a corporation, is authorized to operate as a public utility cold storage warehouseman in Oakland.¹ By this application it seeks authority to discontinue operations as a public utility warehouseman.

The application states that applicant leases the warehouse facility herein involved from its parent corporation, John Morrell & Co. (pursuant to the authority granted in Decision No. 54433, supra) which occupies the adjacent premises; that during the last two years the number of storers has steadily declined to a present number of eight, not including John Morrell & Co. which is the largest single customer; that John Morrell & Co. requires all of the cold storage space of applicant for its own use and from time to time has been compelled to store with other storage companies; and that if this application is granted, applicant will surrender

¹ Applicant operates pursuant to a certificate of public convenience and necessity granted by Decision No. 44639 dated August 8, 1950, in Application No. 31522, and acquired by Morrell Cold Storage Co. by Decision No. 54433 dated January 29, 1957, in Application No. 38768. The corporate name of applicant was changed to Morrell Holly Cold Storage Co. effective January 31, 1957, according to a confirmed copy of its Certificate of Amendment of Articles of Incorporation attached to this application as Exhibit B.

its public utility warehouse space to John Morrell & Co. for use in connection with the latter's meat packing and meat business. According to the application, other cold storage warehouses conveniently located in the Oakland area are willing to accommodate applicant's eight remaining customers; and applicant's eight customers have been notified of the filing of this application and have expressed willingness to transfer and store merchandise at other warehouses.

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 cold storage 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 interest of its patrons. A public hearing is not necessary.

Good cause appearing,

IT IS ORDERED that the certificate of public convenience and necessity granted by Decision No. 44639 dated August 8, 1950, in Application No. 31522, authorizing service as a public utility cold storage warehouseman at Oakland and acquired by Morrell Cold Storage Co. by Decision No. 54433 dated January 29, 1957, in Application No. 38768, is hereby revoked subject to the following conditions:

- a. Applicant shall continue as a public utility warehouseman at Oakland, 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 b hereof, applicant shall not be required to receive any additional goods for storage.

- b. Applicant shall, within twenty 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.
- c. 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.
- d. Applicant shall, at the direction of the owner of any property remaining in storage, transport such property to any available public warehouse at the expense of applicant and at no expense or risk to the owner of the property transported.
- e. 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 a to d, inclusive, and (b) cancel its tariffs and powers of attorney or concurrences on file with the Commission governing warehouse operations at Oakland.

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

Dated at San Francisco, California, this 1st day of May, 1962.

Quell P. Rago
President
W. L. Mitchell
L. J. Fox
George G. Grover
Frank B. Hobbitt
Commissioners