

ORIGINAL

Decision No. 64042

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Investigation on the Commission's)
own motion into warehouse operative)
rights of Rosamond M. Burr, doing)
business as EAGLE TRANSFER CO.)

Case No. 6546

ORDER REVOKING WAREHOUSE OPERATIVE RIGHT:

By order dated June 20, 1960, issued in this proceeding, the Commission determined that Rosamond M. Burr, doing business as Eagle Transfer Co., possessed a prescriptive operative right as a public utility warehouseman for the operation of storage or warehouse floor space at Fresno. The determination was predicated upon the tariff in the Commission's files and the certified report by Rosamond M. Burr to this Commission. On May 10, 1962, the Commission received a letter from Rosamond M. Burr stating that the company does not act as a public utility warehouse and requesting that any privileges or rights it may possess as a public utility warehouse be revoked.

The tariff in question was filed with the Commission on June 25, 1920, effective July 1, 1920, by a predecessor owner, and it has not been amended since that date. The letter from Burr states that the company does not have a warehouse tariff, never had one, and has never operated under one. Burr has filed financial reports annually. The report for the year 1961 states that the warehousing performed was accessorial to the transportation service.¹

¹ Rosamond M. Burr holds radial highway common, highway contract and city carrier permits.

In the circumstances, it appears, and the Commission finds, that revocation of the warehouse operative right as requested will not be adverse to the public interest. This is a matter in which a public hearing is not necessary. The requested revocation will be granted.

Good cause appearing,

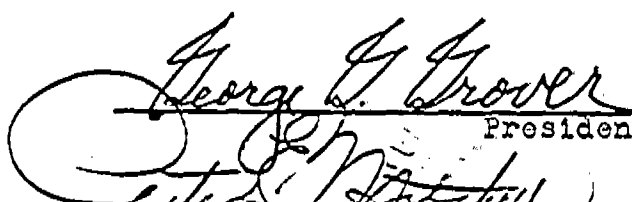
IT IS ORDERED that:

1. The aforesaid letter received May 10, 1962, from Rosamond M. Burr is received in this proceeding as Exhibit No. 2.
2. The public utility warehouse operative right of Rosamond M. Burr, doing business as Eagle Transfer Co., as determined in Case No. 6546, is hereby revoked.
3. Eagle Transfer Co. Warehouse Tariff No. 1, C.R.C. No. 1, is hereby canceled.

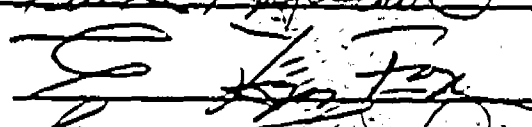
The Secretary is directed to cause service of a certified copy of this order to be made upon Rosamond M. Burr.

The effective date of this order shall be the thirtieth day after such service upon Rosamond M. Burr. unless before such effective date there shall have been filed with the Commission a written response to this order denying the facts set forth herein, or requesting public hearing, in which event the effective date of this order shall be stayed until further order of the Commission.

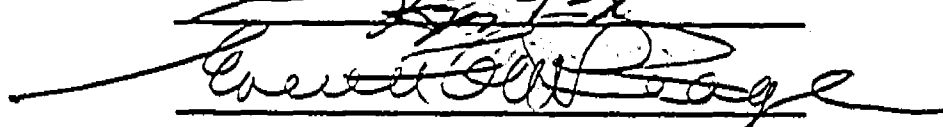
Dated at San Francisco, California, this 31st day of July, 1962.



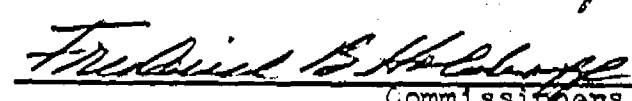
President



E. J. Fox



Everett S. Page



Fredrick B. Hallock
Commissioners