

ORIGINAL

64369

Decision No. _____

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of:)

Bank of America National Trust and)
Savings Association, a National)
Banking Association, and EVELYN MAE)
WRIGET, as Co-Executors of The)
Estate of W. M. WRIGET, doing)
Business as WRIGET TRUCKING COMPANY,)
to sell and transfer a warehouse)
prescriptive right to G. A. WURTH,)
doing business as G. A. WURTH)
DISTRIBUTORS.)

Application No. 44740
(Filed August 29, 1962)

OPINION AND ORDER

By this application, the executors of the estate of W. M. Wright, deceased, doing business as Wright Trucking Company, seek authority to sell and transfer, and G. A. Wurth, doing business as G. A. Wurth Distributors, seeks authority to purchase, for the total sum of \$750.00, a prescriptive operative right as a public utility warehouseman. The operative right is set forth in the order dated August 16, 1960, in Case No. 6823. It provides for the operation of 2,880 square feet of storage or warehouse floor space in Stockton.

As justification for the proposed transfer, applicants allege that W. M. Wright had been operating as a public utility warehouseman in Stockton for a number of years until his death on July 26, 1960; that neither the estate nor the beneficiaries of W. M. Wright desire to continue the warehouse operations and wish to be relieved of all responsibilities in connection therewith; that G. A. Wurth has had several years experience in various capacities of the warehouse business and has a capable assistant experienced in storage and distribution business; that the public has relied upon the warehousing services conducted by W. M. Wright and his estate; and that

the public will be benefited by the continuation of such service by applicant G. A. Wurth.

The application shows that on or about August 24, 1962, a copy thereof was mailed to other warehousemen in the area. No objection to the granting of this application has been received.

In the circumstances, it appears, and the Commission finds, that the proposed transfer will not be adverse to the public interest. The application will be granted. A public hearing is not necessary.

Good cause appearing,

IT IS ORDERED that:

1. On or before January 15, 1963, Bank of America National Trust and Savings Association, a National Banking Association, and Evelyn Mae Wright, as co-executors of the estate of W. M. Wright, deceased, doing business as Wright Trucking Company, may sell and transfer, and G. A. Wurth, doing business as G. A. Wurth Distributors, may purchase and acquire, the operative rights referred to in the application.
2. Within thirty days after the consummation of the transfer herein authorized, G. A. Wurth shall notify the Commission, in writing, of that fact and within said period shall file with the Commission a true copy of any bill of sale or other instrument of transfer which may be executed to effect said transfer.
3. G. A. Wurth shall file, in triplicate, with the Commission an adoption notice in the form of a supplement to the tariff now on file in the name of W. M. Wright, doing business as Wright Trucking Company, as provided in Rule 10 of the Commission's General Order No. 61. The adoption supplement shall be made effective not earlier than ten days after the effective date of this order or not less than ten days' notice to the Commission and the public, and the effective date of the adoption supplement shall be concurrent with the consummation of the transfer herein authorized.

4. Concurrent with the effective date of the adoption supplement, filed in accordance with Ordering Paragraph 3 hereof, the operative authority set forth in Case No. 6823 is revoked and in place and stead thereof, prescriptive operative rights as a public utility warehouseman are restated for G. A. Wurth as more particularly set forth in Appendix A attached hereto and by this reference made a part hereof.

5. In providing service pursuant to the operating authority set forth herein, G. A. Wurth 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 operating rights herein granted. By accepting the operating rights herein granted, applicant is placed on notice that he will be required, among other things, to file annual reports of his operations. Failure to file said reports, in such form and at such time as the Commission may direct, may result in a cancellation of the operating authority granted by this decision.

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

Dated at San Francisco, California, this 9th day of October, 1962.

George J. Traver
President
[Signature]
[Signature]
[Signature]
Commissioners

G. A. Wurth, doing business as G. A. Wurth Distributors, possesses a prescriptive operative right 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>
Stockton	2,880

(The floor space shown above is exclusive of the 50,000 square feet of expansion permissible under Section 1051 of the Public Utilities Code.)

End of Appendix A.

Issued by California Public Utilities Commission.
Decision No. 64369, Application No. 44740.