

65237

Decision No. _____

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Investigation on the Commission's)	
own motion into warehouse operative)	Case No. 6611
rights of Thompson Bros., Inc., a)	Petition for Modification
corporation, doing business as)	(Filed December 13, 1962)
The Dodd Warehouses.)	

ORDER OF DISMISSAL

By this petition Thompson Bros., Inc., a corporation, doing business as The Dodd Warehouses, seeks modification of the Commission's order dated July 12, 1960, in Case No. 6611. That order made the determination that Thompson Bros., Inc., possesses a certain prescriptive warehouse operative right in the City of Emeryville. The order became final and the proceeding, which was instituted for the sole purpose of determining the prescriptive warehouse operative rights of Thompson Bros., Inc., was discontinued.

The present petition requests that the prior order be modified to permit the discontinuance of operations in Emeryville and the institution of a comparable warehouse service within the City of Oakland.

A petition of the type before the Commission at present is not appropriate for this purpose.¹ The petition will be dismissed without prejudice to the consideration of any application which may be filed requesting a certificate of public convenience and necessity

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Not only has the case been discontinued, but petitioner was informed by letter dated December 20, 1962, that as a procedural matter a prescriptive warehouse operative right may not be transferred from one city to another. No response has been received to the letter.

for warehouse operations as proposed in the City of Oakland, and a finding that the operations in the City of Emeryville are no longer required by the public convenience and necessity.

IT IS ORDERED that the Petition for Modification filed December 13, 1962, in this proceeding is hereby dismissed without prejudice.

The effective date of this order shall be the date hereof.

Dated at San Francisco, California, this 16th day of April, 1963.

Thomas A. Grover
President
John E. [unclear]
Wesley [unclear]
Frederick B. Holbeck
William L. [unclear]
Commissioners