

Decision No. _____

65495

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of Bekins Warehousing Corp., a)
corporation, for a certificate of)
public convenience and necessity)
to operate the business of a)
warehouseman in Costa Mesa.)

Application No. 45255
(Filed March 18, 1963)

OPINION AND ORDER

By this application, Bekins Warehousing Corp., a California corporation, requests a certificate of public convenience and necessity authorizing it to operate as a public utility warehouseman at Costa Mesa in Orange County. It proposes to operate 3,000 square feet of warehouse floor space for the storage and handling of general commodities.

Applicant asserts that there is no public utility warehouse for the storage of general commodities in or near Costa Mesa and that public convenience and necessity require the proposed operation.¹

The application states that applicant's parent company, Bekins Van & Storage Co., has erected a new, modern, reinforced building with 15,000 square feet of space designed to handle both regular and palletized storage of general commodities as well as household goods and the parent company has agreed to make available currently to applicant 3,000 square feet of space and such additional space in the future as may be required by applicant in accordance with its commercial demands. It also states that the Costa Mesa area is a rapidly growing territory; that applicant currently conducts operations practically statewide; that applicant believes that there is, and will be, a continually increasing demand for storage facilities

¹ The Commission's records show that the nearest public utility warehouse for storage of general commodities is located approximately 8 miles from Costa Mesa, at Santa Ana, Orange County.

in the vicinity of Costa Mesa and that applicant is in a financial position to render the proposed service. Applicant's latest balance sheet and a profit and loss statement are attached to the application and indicate that applicant is financially able to perform the proposed operation.

The rates which applicant proposes to charge are those in effect in Tariff No. 28-A, Cal.P.U.C. No. 193, of California Warehouse Tariff Bureau, Jack L. Dawson, Agent, which rates are applicable to the operations of applicant at all of its southern California warehouses except at San Diego and Wilmington, and are generally applicable to all other commercial warehouses in this area.

The application shows that a copy thereof was mailed to the California Warehousemen's Association, the Los Angeles Warehousemen's Association, the City of Costa Mesa and the chamber of commerce of that City, on or about March 15, 1963. Letters addressed to applicant from the Costa Mesa and Newport Beach Chambers of Commerce, the City of Costa Mesa, and several shippers supporting a proposed commercial storage warehouse in or near Costa Mesa were filed with the application. No objections to the granting of the application have been received.

In the circumstances, it appears, and the Commission finds, that public convenience and necessity require the proposed operation. A public hearing is not necessary. The application will be granted.

Bekins Warehousing Corp. is hereby placed on notice that operative rights, as such, do not constitute a class of property which may be capitalized or used as an element of value in rate fixing

for any amount of money in excess of that originally paid to the State as the consideration for the grant of such rights. Aside from their purely permissive aspect, they extend to the holder a full or partial monopoly of a class of business. This monopoly feature may be changed or destroyed at any time by the State, which is not in any respect limited to the number of rights which may be given.

Good cause appearing,

IT IS ORDERED that:

1. A certificate of public convenience and necessity is hereby granted to Bekins Warehousing Corp. as a public utility warehouseman as defined in Section 239(b) of the Public Utilities Code, for the operation of storage or warehouse floor space as set forth in Appendix A attached hereto and by this reference made a part hereof.
2. In providing service pursuant to the certificate herein granted, applicant 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 certificate herein granted. By accepting the certificate of public convenience and necessity herein granted, applicant is placed on notice that it will be required, among other things, to file annual reports of its operations. Failure to file such reports, in such form and at such time as the Commission may direct, may result in a cancellation of the public utility warehouse operations authorized by this decision.
 - (b) Within one hundred twenty days after the effective date hereof, applicant shall establish the service herein authorized and file in the Commission's office in triplicate tariffs satisfactory to the Commission.

Appendix A

BEKINS WAREHOUSING CORP.
(a corporation)

Bekins Warehousing Corp., a corporation,
possesses a certificate of public convenience and necessity
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>
Costa Mesa	3,000

(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. 65495, Application No. 45255.