

Decision No. 65527

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)	
M. D. GREEN RICE MILLING CO., a)	
corporation, for authorization to)	Application No. 45373
discontinue warehouse operations at)	(Filed April 24, 1963)
San Joaquin, California.)	

OPINION AND ORDER

M. D. Green Rice Milling Co., a corporation, is authorized to operate as a public utility warehouseman at San Joaquin (Fresno County) and is a party to a tariff naming rates for the storage of grain and agricultural commodities. ¹ By this application it seeks authority to discontinue operations as a public utility warehouseman and cancel its tariff participation.

Applicant states that during the years 1961 and 1962 it had only one storer for seasonal storage of rice; that this storage has not exceeded 10 percent of its capacity; and that its operations have been conducted at a loss. Attached to the application as Exhibit "A" is a letter from the storer advising that it has no objection to applicant ceasing operations. Applicant further states that during recent years it has been unable, despite active solicitation efforts, to develop additional business and that it has an opportunity to lease its warehouse under a private lease.

¹ The warehouse operative right is a prescriptive right as determined by order of the Commission dated August 9, 1960, in Case No. 6802.

In the circumstances, it appears, and the Commission finds, that the proposed discontinuance of public utility warehouse operations will not be adverse to the public interest. Applicant will be authorized to withdraw said operations subject to certain conditions designed to protect the interests of its patrons. Pursuant to applicant's request, the order will be made effective ten days after the date hereof. A public hearing is not necessary.

Good cause appearing,

IT IS ORDERED that M. D. Green Rice Milling Co. is hereby authorized to discontinue public utility warehouse operations at San Joaquin and the prescriptive operative right as a public utility warehouseman at San Joaquin possessed by M. D. Green Rice Milling Co., as determined by order dated August 9, 1960, in Case No. 6802, is hereby revoked, subject to the following conditions:




- a. Applicant shall continue operating as a public utility warehouseman at San Joaquin, 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.

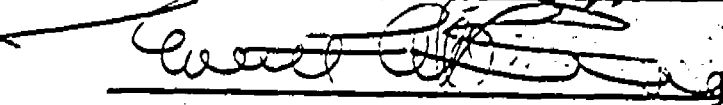
- e. Applicant shall, promptly on removal of all stored property from its warehouse, (a) file with the Commission a verified statement that it has fully complied with Conditions a to d, inclusive, and (b) cancel all tariffs, powers of attorney and concurrences which it has on file with the Commission, tariff amendments to be made effective concurrently with the effective date of the discontinuance of service on not less than ten days' notice to the Commission and the public.


The Secretary of the Commission is directed to mail a copy of this order to Jack L. Dawson, Agent.

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

Dated at San Francisco, California, this 4th day of June, 1963.


 _____ President

 _____ Acting President






 Commissioners

Commissioner George G. Grover, being necessarily absent, did not participate in the disposition of this proceeding.