

ORIGINAL

Decision No. 65730

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of:)

1. LINNIE JOUETT to transfer and)
OWENS BROS. TRANSFER & STORAGE)
to acquire authority to operate)
a public warehouse in Santa)
Cruz, California.)

Application No. 45531
Filed June 18, 1963

2. OWENS BROS. TRANSFER & STORAGE)
to issue shares of its capital)
stock.)

O P I N I O N

This is an application for an order of the Commission authorizing the transfer of warehouse operative rights and equipment and the issue of shares of stock.

The application shows that Linnie Jouett is engaged in business as a public utility warehouseman in Santa Cruz under prescriptive operating rights determined by the Commission by Decision No. 61851, dated April 18, 1961, in Case No. 6956, and that she now desires to transfer her operative rights and assets to a corporation she has organized, named Owens Bros. Transfer & Storage, in exchange for \$7,000 par value of common stock and a demand note for \$15,769.55. Applicants report the investment in the net tangible assets to be transferred at \$15,862 and in net current assets at \$7,187.

The Commission has considered this matter and finds that the proposed transfer will not be adverse to the public interest; that the money, property or labor to be procured or paid for through the issue of the shares of stock herein authorized is reasonably required for the purpose specified herein; and that such purpose is not, in whole or in part, reasonably chargeable to operating expenses or to income. An order will be entered granting the application.

The action taken herein shall not be construed to be a finding of the value of the operative rights and equipment herein authorized to be transferred nor indicative of amounts to be included in future proceedings for the purpose of fixing rates. A public hearing is not necessary.

O R D E R

IT IS ORDERED that:

1. On and after the effective date hereof and on or before December 31, 1963, Linnie Jouett may sell and transfer and Owens Bros. Transfer & Storage, a corporation, may purchase and acquire the warehouse operative rights and equipment referred to in this application and may issue not to exceed \$7,000 par value of common stock in part payment for such operative rights and equipment.

2. Within thirty days after the consummation of the transfer herein authorized, Owens Bros. Transfer & Storage 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 and a report of the issue of the stock as required by General Order No. 24-A.

3. Owens Bros. Transfer & Storage shall amend or reissue the tariffs on file with the Commission, naming rates, rules and regulations governing the public utility warehouse operations referred to herein to show that it has adopted or established, as its own, said rates, rules and regulations. The tariff filings shall be made effective not earlier than ten days after the effective date of this order on not less than ten days' notice to the Commission and the public, and the effective date of the tariff filings shall be concurrent with the consummation of the transfer herein authorized. The tariff filings made pursuant to this order shall comply in all respects with the regulations governing the construction and filing of tariffs set forth in the Commission's General Order No. 61-A.

4. Concurrent with the consummation of the transfer authorized by Ordering Paragraph 1 hereof, the prescriptive operative authority set forth in Decision No. 61851, dated April 18, 1961, in Case No. 6956, is hereby revoked and in place and stead thereof, prescriptive operative rights as a public utility warehouseman are stated for Owens Bros. Transfer & Storage as more particularly set forth in Appendix A attached hereto.

5. In providing service pursuant to the operative authority set forth herein, Owens Bros. Transfer & Storage shall comply with and observe the following service regulation:

Within thirty days after the effective date hereof, it shall file a written acceptance of the operative rights herein stated. By accepting such operative rights, it 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 operative authority set forth in Appendix A hereof.

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

Dated at San Francisco, California,
this 23rd day of July, 1963.

William J. Burns
President

John E. ...

...

George T. ...

Fredrick B. ...
Commissioners

OWENS BROS. TRANSFER & STORAGE
(a corporation)

Appendix A

Owens Bros. Transfer & Storage, a corporation, 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>
Santa Cruz	8,000

(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.

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