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ORIGINAL

Decision No. \_\_\_\_\_

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of WEST LOS ANGELES MILLING CO., a Corporation, and VENTURA COUNTY WAREHOUSE CO., a Corporation, for an Order Authorizing the Transfer of a Certain Franchise and Assets of WEST LOS ANGELES MILLING CO. to VENTURA COUNTY WAREHOUSE CO.; and

Application No. 45836  
Filed October 3, 1963

In the Matter of the Application of VENTURA COUNTY WAREHOUSE CO., a Corporation, for an Order Authorizing the Issuance of Shares.

O P I N I O N

In this application West Los Angeles Milling Co., a public utility warehouseman herein sometimes referred to as applicant, requests an order from this Commission authorizing it to sell and transfer its El Rio warehouse properties to Ventura County Warehouse Co., from which applicant proposes to lease properties for the purpose of continuing its public utility warehousing and related activities in El Rio, Ventura County. In addition, the application seeks certain other authority which, however, is outside of the jurisdiction of this Commission.

Applicant is engaged in the business of buying, selling, processing, packaging and warehousing agricultural and food products, particularly beans. It presently operates

warehouses for the storage and packaging of beans and other agricultural products at El Rio, Chino and Sutter, California. It reports that the bean growing acreage in the area served by its El Rio warehouse has progressively decreased because of the increased values of real property in the area, resulting from subdivision and other types of real estate development. Applicant has concluded that this trend will continue so that the operation of the El Rio warehouse, as a bean warehouse, will become economically unfeasible, which situation will have an equally adverse effect upon bean packaging operations. Applicant, therefore, deems it advisable to dispose of its El Rio warehouse subject to continued operation of bean warehousing and bean packaging for a period of three years. To this end, applicant proposes to transfer its El Rio warehouse to Ventura County Warehouse Co., which does not propose to become a public utility, but will lease sufficient properties to applicant so as to enable it to continue its public utility warehousing operations at El Rio.

The Commission is familiar with the changes taking place in Ventura County land use, which are decreasing the amount of such land available for agricultural purposes. After consideration, we find that (1) the proposed sale and transfer of the El Rio warehouse facilities of West Los Angeles Milling Co. will not be adverse to the public interest, and (2) Ventura County Warehouse Co. does not propose to engage in any public utility activity. On the basis of these findings, we

conclude that the application should be granted, insofar as this Commission has jurisdiction, and that otherwise it should be dismissed for want of jurisdiction. A public hearing is not necessary.

The action taken herein shall not be construed as a finding of value of the properties herein authorized to be transferred, nor as an authorization for West Los Angeles Milling Co. to curtail or to discontinue its activities as a public utility warehouseman at El Rio and vicinity after three years or at any other time, unless and until it first shall have obtained from this Commission authority so to do after it files an appropriate application seeking the necessary authority.

O R D E R

IT IS ORDERED that:

1. West Los Angeles Milling Co. may sell and transfer to Ventura County Warehouse Co. the El Rio warehouse properties referred to in Exhibit A attached to the application.
2. Except as otherwise granted, the application is dismissed for want of jurisdiction.

3. This order shall become effective when West Los Angeles Milling Co. has filed with the Commission a stipulation that it will continue to provide sufficient public utility warehouse facilities for meeting its obligations under its prescriptive operative rights and tariff filings applicable to El Rio and vicinity, until such time as the Commission shall otherwise authorize. If the authority herein granted is not exercised, such authority shall expire on June 30, 1964.

Dated at San Francisco, California, this 27<sup>th</sup>  
day of December, 1963.

William B. Beards  
President

Ernest W. Roy

George T. Trover

Frederick B. Halbach

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Commissioners

Commissioner Peter E. Mitchell, being necessarily absent, did not participate in the disposition of this proceeding.