

Decision No. 66716**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of LEO C. SMITH,
HERBERT M. SMITH, and R. N.
TROMBETTA, for a certificate
of public convenience and
necessity to operate a warehouse.

Application No. 45827
(Filed October 2, 1963)

Robert L. Williams, for applicants.

Leonard Diamond, for the Commission staff.

O P I N I O N

Leo C. Smith, Herbert M. Smith and R. N. Trombetta are copartners, doing business as Central Cotton Warehouse. They request authority to operate a public warehouse in Bakersfield.

A public hearing was held before Examiner Porter on November 13, 1963, at Bakersfield, and the matter was submitted.

Applicants request a certificate of public convenience and necessity authorizing the operation of a public warehouse utilizing 40,000 square feet of storage space. During the course of the hearing, applicants amended the application to increase the area to 41,600 square feet.

Notice of hearing was sent to California Warehousemen's Association and cotton warehouses in the area. No protests were received.

The applicants are the owners of a ten-acre parcel of land located at 220 Industrial Street, Bakersfield. The warehouse is to be utilized for the storage of cotton.

The applicants presented evidence that during the past several years there has been insufficient cotton storage space available in the Bakersfield area.

Applicants propose to file rates which would be competitive with those of the existing cotton warehouses in the Bakersfield area.

Upon consideration, the Commission finds that public convenience and necessity require the granting of the authority sought and concludes that the application should be granted.

O R D E R

IT IS ORDERED that:

1. A certificate of public convenience and necessity is granted to Leo C. Smith, Herbert M. Smith and R. N. Trombetta, a copartnership, 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 made a part hereof.

2. In providing service pursuant to the certificate herein granted, applicants shall comply with and observe the following service regulations:

- (a) Within thirty days after the effective date hereof, applicants shall file a written acceptance of the certificate herein granted. By accepting the certificate of public convenience and necessity herein granted, applicants are placed on notice that they will be required, among other things, to file annual reports of their 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, applicants shall establish the service herein authorized and file tariffs, in triplicate, in the Commission's office.

- (c) 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 establishment of the service herein authorized.
- (d) The tariff filings made pursuant to this order shall comply with the regulations governing the construction and filing of tariffs set forth in the Commission's General Order No. 61-A.

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

Dated at San Francisco, California, this 28th day of January, 1964.

William L. Brundage
President

Robert W. Ragsdale

George H. Grover

Frederic B. Hallock
Commissioners

APPENDIX A

Central Cotton Warehouse
(a copartnership)

Leo C. Smith, Herbert M. Smith and R. N. Trombetta, a copartnership, doing business as Central Cotton Warehouse, possess a certificate of public convenience and necessity as a public utility warehouseman for the operation of storage or warehouse floor space for the storing of cotton only, as follows:

<u>Location</u>	<u>Number of Square Feet of Floor Space</u>
Bakersfield	41,600

(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. 66716, Application No. 45827.