

ORIGINAL

Decision No. 67489

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Investigation on the Commission's own)
motion into warehouse operative rights)
of William J. Dorr and Donald L. Dorr,)
doing business as DORR BROTHERS MOVING)
AND DELIVERY SERVICE.)

Case No. 6549

ORDER REVOKING OPERATIVE RIGHT

William J. Dorr and Donald L. Dorr (Dorr Brothers), doing business as Dorr Brothers Moving and Delivery Service, possess a prescriptive operative right as a public utility warehouseman for the operation of 3,000 square feet of storage or warehouse floor space in Pasadena.¹ By letter dated April 16, 1964, Dorr Brothers request that their tariff be canceled.

Dorr Brothers state that their company was originally formed for the purpose of delivering merchandise to appliance dealers in the Pasadena area² and they stored this merchandise as a convenience to the dealers and themselves. They further state that they were actually contracting in a private manner when they commenced operations but filed with the Commission their Tariff Cal.P.U.C. No. 1 naming storage rates on appliances only because they erroneously believed that they were compelled to do so. Dorr Brothers aver that

¹ This prescriptive operative right was determined by order dated June 20, 1960, in this proceeding.

² William J. Dorr and Donald L. Dorr hold city, radial highway common, highway contract and household goods carrier permits.

the revenue they listed for public utility warehouse operations in 1962 represented approximately one-twentieth of their total income and this phase of their warehousing business is now nil. They assert that their operations are confined to household goods moving and storage,³ an occasional appliance delivery and leasing of warehouse space and offices.

In the circumstances, it appears, and the Commission finds, that revocation of the aforementioned prescriptive operative right will not be adverse to the public interest. The operative right will be revoked and the tariff applicable to the services thereunder will be canceled. A public hearing is not necessary.

IT IS ORDERED that:

1. The prescriptive operative right as a public utility warehouseman possessed by William J. Dorr and Donald L. Dorr, doing business as Dorr Brothers Moving and Delivery Service, as determined by order dated June 20, 1960, in Case No. 6549, is hereby revoked.

2. Tariff Cal.P.U.C. No. 1 of William J. Dorr and Donald L. Dorr, doing business as Dorr Brothers Moving and Delivery Service, is hereby canceled.

The Secretary is directed to cause service of a certified copy of this order to be made upon William J. Dorr and Donald L. Dorr or to mail a certified copy thereof to them at their last known address as shown in the Commission's records.

³ The term, "warehouseman," as used in Section 239 of the Public Utilities Code does not include corporations or persons storing only secondhand household goods or effects.

The effective date of this order shall be the thirtieth day after such service upon William J. Dorr or Donald L. Dorr, or after the above mailing to William J. Dorr and Donald L. Dorr, as the case may be, unless before such effective date there shall have been filed with this Commission a written request for public hearing in which event the effective date of this order shall be stayed until further order of the Commission.

Dated at San Francisco, California, this 7th day of July, 1964.

Frederick B. Hallock
President
John E. Smith
Wesley H. King
George T. Brown
Commissioners

Commissioner William M. Bennett, being necessarily absent, did not participate in the disposition of this proceeding.