

ORIGINAL

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Decision No. _____

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Investigation on the Commission's own)
motion into warehouse operative rights)
of B. F. Killam and M. C. Hernage,)
doing business as SANTA MONICA COLD)
STORAGE COMPANY.)

Case No. 6559

ORDER REVOKING WAREHOUSE OPERATIVE RIGHT

By order dated June 20, 1960, in this proceeding, the Commission determined that B. F. Killam and M. C. Hernage, doing business as Santa Monica Cold Storage Company, possess a prescriptive operative right as a public utility warehouseman for the operation of 4,329 square feet of storage or warehouse floor space at Santa Monica.

B. F. Killam and M. C. Hernage have not filed with the Commission annual reports for 1962 and 1963 as would be required by Section 584 of the Public Utilities Code for any warehouse operations that may have been performed. A notice of delinquency was mailed by the Secretary of the Commission to the above firm on May 29, 1964, and returned by the post office marked "not here". The Commission staff investigated this warehouse operation and found that the firm had been out of business since November 13, 1962.

B. F. Killam and M. C. Hernage having failed to file the required annual reports and having apparently abandoned their public utility warehouse operations and the Commission being of the opinion and finding that such failure and abandonment constitute good cause for revocation of the aforementioned prescriptive operative right and cancellation of the tariff applicable to the services thereunder,

IT IS ORDERED that:

1. The prescriptive operative right as a public utility warehouseman possessed by B. F. Killam and M. C. Hernage, doing business as Santa Monica Cold Storage Company, as determined by order dated June 20, 1960, in Case No. 6559, is hereby revoked.

2. Jack L. Dawson, Agent, is hereby authorized and directed to cancel the participation of B. F. Killam and M. C. Hernage, doing business as Santa Monica Cold Storage Company, from his California Warehouse Tariff Bureau Cold Storage Warehouse Tariff No. 2-G, Cal.P.U.C. No. 190, on file with this Commission, said cancellation to be made within ninety days after the effective date of this order and on not less than ten days' notice to the Commission and the public.

The Secretary is directed to cause service of a certified copy of this order to be made upon B. F. Killam and M. C. Hernage or to mail a certified copy thereof to them at their last known addresses as shown in the Commission's records and to mail a copy of this order to Jack L. Dawson, Agent.

The effective date of this order shall be the thirtieth day after such service upon B. F. Killam or M. C. Hernage, or after the above mailing to B. F. Killam and M. C. Hernage, 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 14th day of July, 1964.

Frederic B. Hildreth
President
George L. Trover
William B. Bonds

Commissioner Everett C. McKeage, being necessarily absent, did not participate in the disposition of this proceeding.

Commissioners