

ORIGINAL

Decision No. 67707

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the Application of:)

PORT OF STOCKTON GRAIN TERMINAL)
(A Corporation))

Application No. 46703
(Filed June 9, 1964)

For an Order Authorizing the with-)
drawal of tariffs and Discontinuance)
of the Applicant to operate as a)
Public Utility.)

OPINION AND ORDER

Port of Stockton Grain Terminal, a corporation, possesses a prescriptive operative right as a public utility warehouseman for the operation of 320,000 square feet of storage or warehouse floor space at Stockton.¹ By this application, it seeks authority to discontinue public utility warehouse operations and to cancel its warehouse tariffs.²

Applicant's warehouse buildings are located at two different locations, one in the Port District and the other on Sonora Street. Applicant states that its lease in the Port District terminated on November 30, 1963, and the property was returned to the Port District. Applicant further states that the Sonora Street warehouse has, since its construction, always been used for the storage of grain under the Federal Uniform Grain Storage Agreement. It asserts that there is no possibility of the warehouse being used

¹ The prescriptive operative right was determined by order of the Commission, dated June 14, 1960, in Case No. 6535.

² Warehouse Tariffs Nos. 2 and 3, FUC No. 2 and C.P.U.C. No. 3, were issued in 1949 and 1954, respectively, by Port of Stockton Grain Terminal, Inc. No amendments were made to reflect the current name of the warehouseman.

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as a public warehouse for grain storage in the future as most grain growers in California have constructed their own private storage facilities. Applicant further asserts that there is a large surplus of warehousing facilities for grain storage in the State of California and in the Stockton area.³

In the circumstances, it appears, and the Commission finds, that the proposed discontinuance of public utility warehouse operations will not be adverse to the public interest. Applicant will be authorized to discontinue public utility warehouse operations and its tariffs will be canceled. A public hearing is not necessary.

IT IS ORDERED that:

1. Port of Stockton Grain Terminal, a corporation, is hereby authorized to discontinue public utility warehouse operations at Stockton and the prescriptive operative right as a public warehouseman possessed by Port of Stockton Grain Terminal, as determined by order dated June 14, 1960, in Case No. 6535, is hereby revoked.

2. Port of Stockton Grain Terminal, Inc., Warehouse Tariffs Nos. 2 and 3, PUC No. 2 and C.P.U.C. No. 3, respectively, are hereby canceled.

³

The Commission's records indicate that there are at least seven other public utility warehouses publishing rates for grain storage in Stockton and four others in San Joaquin County.

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

Dated at San Francisco, California, this 11th day of August, 1964.

Fredrick B. Hallock
President
Arthur E. Hutchins
Coastal B. Bay
George A. Hoover

Commissioners

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