

ORIGINAL

Decision No. 67760

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of SIERRA MOVING SERVICE,
A Corporation To Sell, and Of G.W.A.
INCORPORATED, A Corporation, Doing
Business as ALLIED WAREHOUSE COMPANY,
To Purchase Warehouse Operative Rights.

Application No. 46505
(Filed April 14, 1964)

O P I N I O N

Applicant, Sierra Moving Service, a corporation, possesses prescriptive operative rights as a public utility warehouseman for the operation of 8,000 square feet of storage or warehouse floor space, located at 3003 Leonis Boulevard, Vernon, California. (See Case No. 6916, instituted August 30, 1960.)

This applicant requests an order of the Commission pursuant to Sections 851, 852 and 853 of the Public Utilities Code authorizing it to transfer to G.W.A. Incorporated, a corporation, doing business as Allied Warehouse Company, its said operative rights as a public utility warehouseman in the City of Vernon, California.

Applicant G.W.A. Incorporated proposes to pay the sum of \$2,500 for the operative rights, \$100 in cash, which has been deposited with seller, and \$2,400 upon the Commission's authorization. No tangible property is proposed to be sold hereunder. The buyer's statement supports the conclusion that it can properly

perform the function of public warehouseman. A balance sheet attached to the application, dated January 31, 1964, lists total assets of \$237,871.35; cash in bank of \$30,777.20; and undivided earned surplus of \$31,271.25.

As justification for the proposed transaction the application contains the following allegations:

C.W.A. INCORPORATED is a California corporation maintaining its principal place of business at 2460 East 28th Street, Vernon, California. It is a petroleum irregular route carrier, as defined in the Public Utilities Code, holding a certificate of public convenience and necessity to operate as such, which certificate was authorized by this Commission to be acquired by buyer, doing business as Crescent Transportation Company, in Decision No. 58625, dated June 16, 1959, in Application No. 41111. A certified copy of buyer's Articles of Incorporation is of record with this Commission in connection with said Application No. 41111. There have been no changes or amendments to said Articles since the date of said filing.

Buyer further alleges that it is fit, financially and otherwise, to continue said operations in substantially the same manner as heretofore conducted by seller. Authorization of the within application will enable buyer to continue the public utility warehouse service to the public in Vernon, California, heretofore rendered by seller. The site of said operations will be moved to buyer's principal place of business, a distance of only approximately one and one-half miles. The operation will remain in Vernon, California.

Authorization will have no adverse effect upon the public or any other public utility warehouseman in that buyer proposes to adopt and become a party to the rates and charges named in seller's tariff filings currently on file with the Commission.

After consideration, the Commission finds that the proposed transfer would not be adverse to the public interest. A public hearing is not necessary.

The authorization herein granted shall not be construed as a finding of the value of the rights and properties herein authorized to be transferred.

O R D E R

IT IS ORDERED that:

1. On or before thirty days after the date hereof, Sierra Moving Service may sell and transfer, and G.W.A. Incorporated, doing business as Allied Warehouse Company, may purchase and acquire, the operative rights and property referred to in the application.

2. Within thirty days after the consummation of the transfer herein authorized, G.W.A. Incorporated shall notify the Commission, in writing, of that fact, and within said period shall file with the Commission a true copy of any bill of sale or other instrument of transfer which may be executed to effect said transfer.

3. G.W.A. Incorporated shall amend or reissue the tariffs on file with the Commission, naming rates, rules and regulations governing the warehouse operations herein to show that it has adopted or established, as its own, said rates, rules and regulations. The tariff filings shall be made effective not earlier than ten days after the effective date of this order or 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 consummation of the transfer herein authorized. The tariff filings made pursuant to this order shall comply in all respects with the regulations governing the construction and filing of tariffs set forth in the Commission's General Order No. 61-A.

4. Concurrently with the effective date of tariff filings required by ordering paragraph 3 hereof, the prescriptive operative authority held by Sierra Moving Company as a public utility warehouseman as determined in Case No. 6916, August 30, 1960, is hereby revoked and, in place and stead thereof, prescriptive operative rights as a public utility warehouseman are stated for G.W.A. Incorporated, doing business as Allied Warehouse Company, as more particularly set forth in Appendix A attached hereto and by this reference made a part hereof.

5. On or before the end of the third month, after the consummation of the transfer as herein authorized, G. W. A. Incorporated shall cause to be filed with the Commission, in such form as it may prescribe, an annual report, or reports, covering the period commencing with the first day of the current year to and including the effective date of the transfer.

6. In providing service pursuant to the operative authority set forth herein, G.W.A. Incorporated, doing business as Allied Warehouse Company, shall comply with and observe the following service regulations:

Within thirty days after the effective date hereof, it shall file a written acceptance of the operative right herein stated. By accepting the operative

right, it is placed on notice that it will be required, among other things, to file annual reports of its operations. Failure to file said reports, in such form and at such time as the Commission may direct, may result in a cancellation of the operative right set forth in Appendix A hereof.

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

Dated at _____, California, this 25th day of August, 1964.

Frederick B. Hallock
President
Ed. E. [unclear]
Carol W. [unclear]
George A. Crover
William W. [unclear]
Commissioners

APPENDIX A

G. W. A. INCORPORATED
doing business as
ALLIED WAREHOUSE COMPANY

G. W. A. Incorporated, doing business as Allied Warehouse Company, possesses a prescriptive operative right as a public utility warehouseman for the operation of storage or warehouse floor space as follows:

<u>Location</u>	<u>Number of Square Feet of Floor Space</u>
Vernon	8,000

(The floor space shown above is exclusive of the 50,000 square feet of expansion permissible under Section 1051 of the Public Utilities Code.)

Issued by California Public Utilities Commission.

Decision No. 67760, Application No. 46505.