

ORIGINAL

Decision No. 67776

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the application of)
George A. Myers, Karl D. Gentry,)
Percy Murry, Richard M. Smith, and) Application No. 46791
Rosemary June Myers, doing business) (Filed July 10, 1964)
as "TULELAKE COLD STORAGE COMPANY,")
a copartnership, for an order auth-)
orizing the sale of real property.)

OPINION AND ORDER

Applicants possess a prescriptive operative right as a public utility warehouseman for the operation of 145,644 square feet of storage or warehouse floor space in Tulelake.¹ By this application, authority is sought to sell to Tulelake Horseradish Processors, Inc., a California corporation, that certain real property described in Exhibit A attached to the application for the sum of \$17,300 cash.

Applicants state that one of their three warehouses in Tulelake is located on said real property and such warehouse is not being used. It is further stated Tulelake Horseradish Processors, Inc., desires to use said real property as a processing plant and such an enterprise would provide sorely needed employment for some of the residents of Tulelake and its environs.

1

By Decision No. 64937 dated February 13, 1963, in Application No. 44809, the original prescriptive operative right determined by order dated August 16, 1960, in Case No. 6812 was revoked and, in place and stead thereof, a prescriptive operative right as a public utility warehouseman was stated for the present members of the partnership involved.

Applicants aver that the book value of said real property and improvements thereon was \$12,500 as of June 30, 1963, and the land and property are free and clear of all encumbrances. It is asserted that the proposed sale of said real property would, in no way, impair the present ability of applicants to serve the public as 144,000 square feet of storage space would remain available to storers of merchandise in Tulalake.

In the circumstances, it appears, and the Commission finds, that the authority sought herein will not be adverse to the public interest. A public hearing is not necessary. The application will be granted.

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

IT IS ORDERED that:

1. On or before December 31, 1964, George A. Myers, Karl D. Gentry, Percy Murray, Richard M. Smith and Rosemary June Myers may sell and transfer and Tulalake Horseradish Processors, Inc., may purchase and acquire that certain real property described in Exhibit A attached to the application.

2. Within thirty days after the consummation of the transfer herein authorized, George A. Myers, Karl D. Gentry, Percy Murray, Richard M. Smith or Rosemary June Myers 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. Concurrently with the effective date of the consummation of the transfer herein authorized, the prescriptive operative authority set forth in Decision No. 64937 dated February 13, 1963, in Application No. 44809 is hereby revoked and in place and stead thereof a prescriptive operative right as a public utility warehouseman is hereby stated for George A. Myers, Karl D. Gentry, Percy Murray, Richard M. Smith and Rosemary June Myers as more particularly set forth in Appendix A attached hereto.

This order shall become effective twenty days after the date hereof.

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

Fredrick B. Halbach
President
John E. Mitchell
Wesley A. Page
George L. Brown
William L. Gunders
Commissioners

Appendix A

TULELAKE COLD STORAGE CO.
(a partnership)

George A. Myers, Karl D. Gentry, Percy Murray, Richard M. Smith and Rosemary June Myers, doing business as Tulelake Cold Storage Co., possess 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>
Tulelake	144,000

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

(End of Appendix A)

Issued by California Public Utilities Commission.

Decision No. 67776, Application No. 46791.