

**ORIGINAL**

Decision No. 67970

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

IN THE MATTER OF THE APPLICATION OF )

(1) R-B CORPORATION, A California corporation, doing business as COMMERCIAL TRANSFER CO., TO SELL, AND DART PUBLIC WAREHOUSE, INC., a California corporation, TO PURCHASE CERTAIN OPERATIVE RIGHTS, AND FOR THE TRANSFER OF SAID RIGHTS TO PURCHASER'S LOCATION IN THE CITY OF VERNON; AND )

Application No. 46878  
(Filed August 7, 1964)

(2) DART PUBLIC WAREHOUSE, INC., a California corporation, FOR PERMIT TO ISSUE AND SELL STOCK. )

Applicants.

O P I N I O N

R-B Corporation, a California corporation, doing business as Commercial Transfer Co., requests authority to sell its prescriptive operative rights as a public utility warehouseman for the operation of 1100 square feet of floor space <sup>(1)</sup> located at 3216 East Vernon Street in the City of Vernon to Dart Public Warehouse, Inc., a California corporation (hereafter also referred to as Dart), and the latter requests permission to purchase said rights and to sell and issue 100 shares of its capital stock at the par value of \$100 each to Raoul Dedeaux, its president, in full consideration and in cancellation of the indebtedness of applicant Dart to Raoul Dedeaux in the sum of \$10,000. The purchase price for the operative rights is \$1875 cash, subject to the approval of the Commission.

---

(1) Exclusive of the 50,000 square feet of expansion permissible under Section 1051 of the Public Utilities Code. (Case No. 6865)

Applicant Dart holds a long term lease covering an existing warehouse facility at 4292 Maywood Avenue, Vernon, California, which facility consists of a newly constructed tilt-up concrete structure 24' high with cement floors and with modern dock and related facilities. At the new location there will be 34,000 square feet of warehouse space available for public warehousing. It is proposed to move the warehouse operation from its present location at 3216 East Vernon Street to 4292 Maywood Avenue, also in the City of Vernon. No other assets or property are involved in the proposed sale.

Dart Public Warehouse, Inc., was incorporated in July, 1964, under the laws of this State, for the principal purpose of engaging in business as a "warehouseman" as defined in Section 239 of the Public Utilities Code. Its principal office for the transaction of business is to be located in Los Angeles County, and at present is at 4292 Maywood Avenue, Vernon. It has one class of shares consisting of 750 shares of the par value of \$100 each, or an aggregate par value of all shares of \$75,000. Present officers and directors are: Raoul Dedeaux, director and president; John M. McCormick, director and secretary; Tery Finigan, director and vice-president; and Robert Santich, treasurer. As of July 14, 1964, Dart's total assets and liabilities consisted of \$10,000 cash, and a loan payable to Raoul Dedeaux in the sum of \$10,000, respectively. Applicant Dart has not yet commenced operations. Its president is

experienced in the warehouse and transportation business having engaged in private warehouse and trucking businesses in Southern California for many years.

It is alleged that R-B Corporation desires to withdraw from the utility warehouse business to devote its entire efforts to its transportation business; that there is a public need for the continuation of said warehouse business and that a substantial part of the available space will be occupied with storage of general merchandise of available customers, and that Dart is financially and otherwise able to render the proposed service.

Applicant Dart proposes to charge for its services rates on the level with those of the California Warehouse Tariff Bureau Warehouse Tariff No. 28A, and the exceptions thereto in Tariff No. 29A, which exceptions will be promptly requested.

The application is not opposed.

The Commission finds that:

1. The proposed transfer would not be adverse to the public interest.
2. Dart Public Warehouse, Inc., is financially able and will have the experienced personnel and facilities to conduct the proposed warehouse operation.
3. The money, property or labor to be procured or paid for by the issue of the stock herein authorized is reasonably required for the purpose specified herein, and such purpose is not, in whole or in part, reasonably chargeable to operating expenses or to income.

The Commission concludes that the application should be granted. A public hearing is not required.

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

O R D E R

IT IS ORDERED that:

1. On or before December 31, 1964, R-B Corporation, doing business as Commercial Transfer Co., may sell and transfer, and Dart Public Warehouse, Inc., may purchase and acquire, the operative rights referred to in the application.

2. Within thirty days after the consummation of the transfer herein authorized, Dart Public Warehouse, Inc., 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. Dart Public Warehouse, Inc., 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. On or before the end of the third month, after the consummation of the transfer as herein authorized, Dart Public Warehouse, Inc., 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.

5. Concurrently with the effective date of the consummation of the transfer herein authorized, the prescriptive operative authority determined by order dated August 23, 1960, in Case No. 6865 is hereby revoked and in place and stead thereof a prescriptive operative right as a public utility warehouseman is hereby stated for Dart Public Warehouse, Inc., as more particularly set forth in Appendix A attached hereto.

6. Dart Public Warehouse, Inc., for the purpose herein set forth, may issue not to exceed 100 shares of its \$100 par value capital stock at par.

7. Dart Public Warehouse, Inc., shall file with this Commission a report or reports as required by General Order No. 24-B, which

order insofar as applicable is hereby made a part of this order.

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

Dated at San Francisco, California, this 12<sup>th</sup> day of OCTOBER, 1964.

Fredrick B. Hallock  
President  
Ed. E. Smith  
George T. Hoover  
William W. Bernard

Commissioners

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

## Appendix A

DART PUBLIC WAREHOUSE, INC.  
(a corporation)

Dart Public Warehouse, Inc., 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	1100

(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. 67970, Application No. 46878.