

**ORIGINAL**

Decision No. 69260

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application )  
of ISLAND ELEVATORS, a )  
corporation, for authority to )  
transfer public utility )  
properties, and RIVERSIDE )  
ELEVATORS, a corporation, for )  
authority to acquire public )  
utility properties )

Application No. 47625  
Filed May 27, 1965

O P I N I O N

This is an application for an order of the Commission authorizing Island Elevators to transfer a prescriptive operative right and public utility warehouse properties to Riverside Elevators.

Island Elevators, a California corporation, is engaged in business as a public utility warehouseman pursuant to the prescriptive operative right determined by the Commission on July 26, 1960, in Case No. 6640. Said right authorizes the operation of 42,912 square feet of storage or warehouse floor space on Ryer Island, Solano County, exclusive of the expansion permissible under Section 1051 of the Public Utilities Code. All of the company's issued and outstanding capital stock is owned by Riverside Elevators, a California corporation, which acquired said stock under authority granted by Decision No. 45284, dated January 23, 1951, in Application No. 31955. In addition to conducting business as a grain dealer and

broker, Riverside Elevators operates a public utility warehouse in the vicinity of Isleton, Sacramento County, pursuant to the prescriptive operative right determined by the Commission on June 28, 1960, in Case No. 6579.

In this proceeding, Island Elevators proposes to transfer its prescriptive operative right, warehouse properties and other assets to Riverside Elevators, and the latter proposes to wind up and dissolve the former. The parent corporation asserts that it is qualified and possesses adequate financial ability to carry on the business now conducted by Island Elevators.

The Commission has considered this matter and finds that the proposed transfer would not be adverse to the public interest. On the basis of this finding we conclude that the application should be granted. A public hearing is not necessary.

The action taken herein shall not be construed as a finding of the value of the prescriptive operative right and other assets herein authorized to be transferred nor as indicative of amounts to be included in proceedings for the determination of just and reasonable rates.

O R D E R

IT IS ORDERED that:

1. On or before December 31, 1965, Island Elevators may transfer, and Riverside Elevators may receive and acquire, the prescriptive operative right and other assets referred to in the application.

2. Within thirty days after the consummation of the transfer herein authorized, Riverside Elevators 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. Riverside Elevators shall amend or reissue the tariffs on file with the Commission, naming rates and rules governing the warehouse operations herein to show that it has adopted or established, as its own, said rates and rules. The tariff filings shall be made effective not earlier than ten days after the date of this order on 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 for warehouse operations required by Ordering Paragraph No. 3 hereof, the prescriptive operative rights as public utility warehousemen set forth in the Orders in Cases Nos. 6579 and 6640 are hereby revoked and, in place and stead thereof, prescriptive operative rights as a public utility warehouseman are hereby stated for Riverside Elevators, as more particularly set forth in Appendix A, attached hereto.

5. On or before the end of the third month after the consummation of the transfer as herein authorized, Riverside Elevators shall cause to be filed with the Commission, in such form as the Commission may prescribe, an annual report, or reports, related to the operations of the transferor for the period commencing with the first day of the current fiscal year to and including the effective date of the transfer.

6. The effective date of this order is the date hereof.

Dated at San Francisco, California, this 22nd day of June, 1965.

Fredrick B. Haloboff  
President  
George J. Hoover  
William L. Bennett  
Commissioners

RIVERSIDE ELEVATORS  
(a Corporation)

Riverside Elevators, a corporation, possesses prescriptive operative rights as a public utility warehouseman for the operation of storage or warehouse floor space as follows:

<u>Location</u>	<u>No. of Square Feet of Floor Space</u>
Isleton and vicinity	47,200
Ryer Island (Solano County)	42,912

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

(End of Appendix A)

Issued by California Public Utilities Commission.

Decision No. 69260, Application No. 47625.