

ORIGINALDecision No. 69848

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 CARL B. YOUNGMARK, as Executor of the)
 Estate of GLADYS W. YOUNGMARK, also)
 known as GLADYS WINIFRED YOUNGMARK,)
 Deceased, and individually, doing)
 business as COUNTY LINE WAREHOUSE, for)
 authority to transfer the interest of)
 GLADYS W. YOUNGMARK, also known as)
 GLADYS WINIFRED YOUNGMARK, Deceased,)
 to CARL B. YOUNGMARK and ROBERT)
 YOUNGMARK, in equal shares, and for)
 CARL B. YOUNGMARK and ROBERT YOUNGMARK)
 to continue operation, under the pro-)
 visions of Sections 851-853 of the)
 Public Utilities Code.)

Application No. 47832
 (Filed August 20, 1965)

O P I N I O N

This application seeks authority for applicants Carl B. and Robert Youngmark to transfer to themselves the community interest of Gladys W. Youngmark in the County Line Warehouse.

Mrs. Youngmark died testate on January 9, 1964 and her will was probated in Yolo County. On June 24, 1965, by decree of the Superior Court of Yolo County, the estate was distributed to the applicants. A copy of the decree of distribution is attached to the application.

There will be no change in management since Carl B. Youngmark has operated the business for several years.

The Commission finds that the transfer proposed in the application would not be adverse to the public interest.

The Commission concludes that the application should be granted.

A public hearing is not necessary.

O R D E R

IT IS ORDERED that:

1. On or before March 1, 1966, Carl B. Youngmark as executor of the will of Gladys W. Youngmark, deceased, may transfer, and Carl B. Youngmark and Robert Youngmark may acquire, the operative rights and property referred to in the application.

2. Within thirty days after the consummation of the transfer herein authorized, Carl B. Youngmark and Robert Youngmark 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. Carl B. Youngmark and Robert Youngmark shall amend or reissue the tariffs on file with the Commission, naming rates, rules and regulations governing the warehouse operations herein to show that they have adopted or established, as their 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 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. On or before the end of the third month after the consummation of the transfer as herein authorized, Carl B. Youngmark and Robert Youngmark 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 seller for the period commencing with the first day of the current fiscal year to and including the effective date of the transfer.

5. Concurrently with the effective date of tariff filings required by ordering paragraph 3 hereof, the prescriptive operative authority set forth in the order, dated July 26, 1960, in Case No. 6632, is hereby revoked and in place and stead thereof a prescriptive operative right as a public utility warehouseman is hereby stated for Carl B. Youngmark and Robert Youngmark, as particularly set forth in Appendix A attached hereto.

6. In providing service pursuant to the warehouse operative authority set forth herein, Carl B. Youngmark and Robert Youngmark shall, within thirty days after the effective date hereof, file a written acceptance of the operative right herein stated. By accepting such operative right, they are placed on notice that they will be required, among other things, to file annual reports of their 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.

Dated at San Francisco, California, this 26th day of OCTOBER, 1965.

Fredrick B. Holdhoff
President
William L. Bagwell
George L. Brewer
August
Commissioners

Carl B. Youngmark and Robert Youngmark 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>
Dunnigan and vicinity (Yolo County)	45,000

(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. 69848, Application No. 47832.