

ORIGINAL

Decision No. 70037

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Investigation on the Commission's)
own motion into warehouse operative)
rights of HARLOW MACK and KATHRYN)
MACK.)

Case No. 6877

ORDER REVOKING WAREHOUSE OPERATIVE RIGHT

By order dated August 23, 1960, in this proceeding, the Commission determined that Harlow Mack and Kathryn Mack, doing business as Mack Warehousing Enterprises, possess a prescriptive operative right as a public utility warehouseman for the operation of storage or warehouse space at Bakersfield, Delano, Hanford, Lemoore, Porterville and Tulare.

Harlow Mack and Kathryn Mack have not filed with the Commission annual reports for 1961 and subsequent years as required by Section 584 of the Public Utilities Code. In investigating this matter through the office of the local district attorney, the Commission staff was informed by the District Attorney of Tulare County that Harlow Mack notified him that he had been out of business since 1962.

Harlow Mack and Kathryn Mack having failed to file annual reports and having apparently discontinued the public utility

warehouse operations herein involved without proper authority, the Commission finds that such failure and discontinuance of service constitute good cause for revocation of the prescriptive operative right and cancellation of the tariff applicable to service thereunder.

IT IS ORDERED that:

1. The prescriptive operative right as a public utility warehouseman determined by order dated August 23, 1960, in Case No. 6877, and possessed by Harlow Mack and Kathryn Mack, is hereby revoked.

2. Harlow Mack and Kathryn Mack, doing business as Mack Warehousing Enterprises, Warehouse Tariff No. 1, Cal. P.U.C. No. 1, is hereby canceled.

The Secretary is directed to cause service of a certified copy of this order to be made upon Harlow Mack and Kathryn Mack or to mail a certified copy thereof to them at their last known address as shown in the Commission's records.

The effective date of this order shall be the thirtieth day after such service upon Harlow Mack and Kathryn Mack or after the above mailing to them as the case may be, unless before such

effective date there shall have been filed with this Commission a written request for public hearing, in which event the effective date of this order shall be stayed until further order of the Commission.

Dated at San Francisco, California, this 30th day of November, 1965.

Julius B. Haloff
President
John E. Smith
George A. Hoover
William W. Brown

Commissioners

Commissioner A. W. Gatov, being necessarily absent, did not participate in the disposition of this proceeding.