

Decision No. 70186

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)

R. R. YOUNG, an individual,)
and WESLEY YOUNG, individuals)
doing business as R. R. YOUNG)
AND SON, INC., a California)
Corporation,)

Application No. 48110
Filed December 9, 1965

to purchase ownership and prescriptive)
operating rights to a public warehouse)
in Stockton, California, and the appli-)
cation of R. R. YOUNG AND SON, INC. to)
issue stock.)

O P I N I O N

This is an application for an order of the Commission authorizing Raymond R. Young and Wesley R. Young, doing business as R. R. Young & Son, to sell and transfer a warehouse operative right and related assets to R. R. Young and Son, Inc. and authorizing the latter to issue \$3,230 par value of its capital stock.

Raymond R. Young and Wesley R. Young, doing business as R. R. Young & Son, report that they are engaged in public utility warehouse activities under a prescriptive operative right acquired pursuant to authority granted by Decision No. 64163, dated August 23, 1962, in Application No. 44620. Said right authorizes the operation at Stockton of 417,000 square feet of storage or warehouse floor space, exclusive of the expansion permissible under Section 1051 of the Public Utilities Code.

According to the balance sheet dated as of June 30, 1965, which is attached to the application as Exhibit A, the sellers' total assets of \$3,776.18 were offset by current liabilities of \$537.71 and partnership capital amounting to \$3,238.47. No value is assigned to the operative right. Authority is requested for the sale and transfer of the operative right and related assets to R. R. Young and Son, Inc., a California corporation organized on or about May 27, 1965. The corporation proposes to issue 323 shares of its \$10 par value capital stock in connection with the transaction.

The Commission has considered this matter and finds that: (1) the proposed sale and transfer will not be adverse to the public interest; (2) 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 (3) such purpose is not, in whole or in part, reasonably chargeable to operating expenses or to income. On the basis of these findings 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 or 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 April 30, 1966, Raymond R. Young and Wesley R. Young, doing business as R. R. Young & Son, may sell and transfer, and R. R. Young and Son, Inc. may purchase and acquire, the prescriptive operative right and assets referred to in the application.
2. R. R. Young and Son, Inc., on or before April 30, 1966, for the purpose specified in this proceeding, may issue not to exceed 323 shares of its \$10 par value common capital stock.
3. R. R. Young and Son, Inc. shall file with the 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.
4. Within thirty days after the consummation of the transfer herein authorized, R. R. Young and Son, 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.
5. R. R. Young and Son, Inc. 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.

6. Concurrently with the effective date of tariff filings for warehouse operations required by Ordering Paragraph No. 5 hereof, the prescriptive operative right as a public utility warehouseman acquired under the authority granted by Decision No. 64163, dated August 28, 1962, in Application No. 44620, is hereby revoked and, in place and stead thereof, a prescriptive operative right as a public utility warehouseman is hereby stated for R. R. Young and Son, Inc., as more particularly set forth in Appendix A attached hereto.

7. On or before the end of the third month after the consummation of the transfer as herein authorized, R. R. Young and Son, Inc. 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 sellers for the period commencing with the first day of the current year to and including the effective date of the transfer.

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

Dated at San Francisco, California,
this 11th day of JANUARY, 1966.

Fredrick B. Helldaff
President
Paul E. Dittell
George H. Crow
Augustus
William L. Dineen
Commissioners

Appendix A

R. R. YOUNG AND SON, INC.
(a corporation)

R. R. Young and Son, Inc., a corporation, 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>No. of Square Feet of Floor Space</u>
Stockton	417,000

(The floor space shown 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. 70186, Application No. 48110.