

ORIGINAL

Decision No. 70409

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Investigation on the Commission's own)
motion into warehouse operative rights) Case No. 6645
of EL REY MILLING CO., a corporation.)

ORDER REVOKING WAREHOUSE OPERATIVE RIGHT

By order dated July 26, 1960, in this proceeding, the Commission determined that El Rey Milling Co., a corporation, possesses a prescriptive operative right as a public utility warehouseman for the operation of storage or warehouse space at King City.

John C. Rosendale, attorney for El Rey Milling Co., informed the Commission by letter that the warehouseman no longer has any storage in its warehouse and does not contemplate receiving any further storage of any kind. He states that there are ample warehouses in the area to accommodate anyone who may desire to store grain and requests that the warehouseman's prescriptive warehouse operative right be revoked.

In the circumstances, it appears, and the Commission finds, that the revocation of the prescriptive warehouse operative right as requested will not be adverse to the public interest. The Commission concludes that the prescriptive warehouse operative right should be revoked and the tariff applicable to the services thereunder should be canceled. A public hearing is not necessary.

IT IS ORDERED that:

1. The prescriptive operative right as a public utility warehouseman possessed by El Rey Milling Co., a corporation, as determined by order dated July 26, 1960, in Case No. 6645, is hereby revoked.

2. Jack L. Dawson, Agent, is hereby authorized and directed to cancel the participation of El Rey Milling Co., a corporation, from his Warehouse Tariff No. 38, Cal.P.U.C. No. 203, on file with the Commission, such cancellation to be made within ninety days after the effective date of this order on not less than ten days' notice to the Commission and the public.

The Secretary is directed to cause service of a certified copy of this order to be made upon El Rey Milling Co., a corporation, or to mail a certified copy thereof to it at its last known address as shown in the Commission's records and to mail a copy of this order to Jack L. Dawson, Agent.

The effective date of this order shall be the thirtieth day after such service upon El Rey Milling Co., a corporation, or after the above mailing to it 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 1st day of March, 1966.

Fredrick B. Hallock
President
John E. Mitchell
George L. Grover
Augusta

Commissioner William G. ... being necessarily absent, did not participate in the disposition of this proceeding.