

**ORIGINAL**Decision No. 70746

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of GEORGE B. SHORE, doing  
 business as TRES PINOS GRAIN & SUPPLY,  
 to terminate services as warehouseman  
 in Tres Pinos.

Application No. 48361  
 (Filed March 30, 1966)

O P I N I O N

George B. Shore, doing business as Tres Pinos Grain & Supply, requests authority to discontinue service as a public utility warehouseman in Tres Pinos.

By a Commission order dated August 1, 1960 in Case No. 6695, it was determined that applicant possessed a prescriptive right as a public utility warehouseman in the Cities of Hollister and Tres Pinos.

It is alleged that public convenience and necessity no longer require applicant's service in Tres Pinos; revenue from the warehouse operations in Tres Pinos for the past few years has not been sufficient to meet expenses; much of the acreage in San Benito County since 1960 has been planted in grapes; acreage planted in grapes does not require the service of a public utility warehouseman; and at the present time there are approximately 11 tons of barley stored in Tres Pinos which is owned by two or three individuals.

After consideration, the Commission finds that public convenience and necessity no longer require applicant's service as a public utility warehouseman in the City of Tres Pinos. A public hearing is not necessary.

ORDER

IT IS ORDERED that:

1. George B. Shore is hereby authorized to discontinue public utility warehouse operations in Tres Pinos and the prescriptive operative right as a public utility warehouseman determined by the Commission's order dated August 1, 1960, in Case No. 6695, is hereby revoked, subject to the following conditions:

- (a) Applicant shall continue as a public utility warehouseman at Tres Pinos rendering all services specified in his tariff at rates and charges therein provided, so long as any property remains in storage in the warehouse involved; except that from and after the date of filing the written acceptance specified in Condition (b) hereof, applicant shall not be required to receive any additional goods for storage.
- (b) Applicant shall, within twenty days after the effective date of this order, file with the Commission a written acceptance of this order, including all of the provisions and conditions thereof.
- (c) Applicant shall cause to be prepared and to be mailed or otherwise delivered to each storage patron, on or before twenty days after the effective date of this order, a true and complete copy of this order.
- (d) Applicant shall, at the direction of the owner of any property remaining in storage, transport such property to any available public warehouse at the expense of applicant and at no expense or risk to the owner of the property transported.
- (e) Applicant shall, promptly on removal of all stored property from the warehouse, a. file with the Commission a verified statement that Conditions (a) to (d), inclusive, have been fully complied with; and b. amend his tariff effective concurrently with the effective date of the discontinuance of service at Tres Pinos on not less than ten days' notice to the Commission and the public to reflect the authority herein granted.

2. Concurrently with the effective date of tariff filings required by ordering paragraph 1(e) hereof, the prescriptive operative authority set forth in order dated August 1, 1960, in Case No. 6695 is hereby revoked and, in place and stead thereof, a prescriptive operative right as a public utility warehouseman is hereby stated for George B. Shore, as more particularly set forth in Appendix A attached hereto.

The Secretary of the Commission is directed to mail a copy of this order to Jack L. Dawson, Agent.

The effective date of this order shall be twenty days after the date hereof.

Dated at San Francisco, California, this 24<sup>th</sup> day of MAY, 1966.

Fredrick B. Halbluff  
President

George H. Glover

August

Commissioners

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

George B. Shore 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>Number of Square Feet of Floor Space</u>
Hollister	15,000

(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.

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