

ORIGINAL

Decision No. 70895

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of LAWRENCE WAREHOUSE COMPANY, a)
corporation, for Authorization)
to Sell and Transfer Public)
Utility Warehouse Operative)
Rights and Properties at Fresno,)
California, and of STATE CENTER)
WAREHOUSE, a corporation, to)
Acquire said Operative Rights)
and Properties and to Issue)
Stock.)

Application No. 48481
Filed May 13, 1966
and Amendment
Filed June 8, 1966

O P I N I O N

This is an application for an order of the Commission authorizing Lawrence Warehouse Company to sell and transfer a warehouse operative right and related equipment to State Center Warehouse and authorizing the latter to issue \$25,000 par value of its capital stock.

Lawrence Warehouse Company, a California corporation, is engaged in public utility warehouseman activities pursuant to a prescriptive operative right stated in Decision No. 67440, dated June 23, 1964, in Application No. 46675. Said right authorizes the operation of 82,500 square feet of floor space in Fresno, exclusive of the expansion permissible under Section 1051 of the Public Utilities Code. The company reports that it operates the Fresno warehouse under leasing arrangements.

Exhibit A, attached to the application, is a copy of an Agreement of Purchase and Sale dated April 28, 1966, wherein Lawrence Warehouse Company has agreed to sell and transfer said warehouse operative right, together with related equipment, to State Center Warehouse, a California corporation organized on or about April 1, 1966. Seller proposes to sell the operative right for \$1 and to transfer the equipment in consideration of buyer's handling out, at its own expense, those goods already in storage as of April 30, 1966. The application indicates that buyer will become lessee of the warehouse facility at Fresno.

State Center Warehouse seeks authority to issue and sell 250 shares of its \$100 par value capital stock, at par, for \$25,000 cash, which will be used for working capital.

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, as amended, 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 and equipment 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 September 30, 1966, Lawrence Warehouse Company may sell and transfer, and State Center Warehouse may purchase and acquire, the prescriptive operative right and other assets referred to in the application.
2. State Center Warehouse, on or before September 30, 1966, for the purpose specified in this proceeding, may issue and sell, at par for cash, not to exceed 250 shares of its \$100 par value capital stock.
3. State Center Warehouse 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, State Center Warehouse 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. State Center Warehouse 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 of Lawrence Warehouse Company set forth in Decision No. 67440, dated June 23, 1964, is hereby revoked and, in place and stead thereof, a prescriptive operative right as a public utility warehouseman is hereby stated for State Center Warehouse, as more particularly described in Appendix A, attached hereto.

7. On or before the end of the third month after the consummation of the transfer as herein authorized, State Center Warehouse shall cause to be filed with the Commission, in such form as the Commission may prescribe, an annual report, or reports, related to the warehouse operations of the seller for the period commencing with the first day of the current year to and including the effective date of the transfer.

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

Dated at San Francisco, California,
this 28th day of JUNE, 1966.

Frederick B. Hallock
President

W. E. Mitchell

George J. Trover

Augustus

William La Bine
Commissioners

Appendix A

STATE CENTER WAREHOUSE
(a corporation)

State Center Warehouse, 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>
Fresno	82,500

(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.

Decision No. 70895, Application No. 48481.