

ORIGINALDecision No. 70985

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of ELVALSONS,
 a corporation doing business
 as WESTWAREHOUSES, INC., for
 authority to terminate services
 as public warehouseman in
 Milpitas, California.

Application No. 48483
 (Filed May 19, 1966)

O P I N I O N

Applicant is a California corporation with its principal office and place of business in San Francisco, California. It has applied herein to terminate its public warehouse service in Milpitas, California, acquired when applicant acquired the assets and customers of Westwarehouses, Inc., a Nevada corporation, upon its dissolution in January of 1966.

It is alleged that the public warehouse in Milpitas has operated at a loss each year for the past several years and that all of the customers using the Milpitas warehouse - with one possible exception - have advised the applicant that other facilities are available and that they have no objection to the termination of the warehouse service in Milpitas.

After consideration the Commission finds that public convenience and necessity no longer require applicant's service as a public warehouseman in the City of Milpitas. The applicant will be authorized to withdraw from this operation subject to conditions designed to protect the interests of its patrons. A public hearing is not necessary.

O R D E R

IT IS ORDERED that Elvalsons, a corporation, is hereby authorized to discontinue its public utility warehouse operation in Milpitas, California, subject to the following conditions:

1. Applicant shall continue as a public utility warehouseman, rendering all services specified in its tariffs, at rates and charges therein provided, so long as any property remains in storage in its warehouse; except that from and after the date of filing the written acceptance specified in Condition 2 hereof, applicant shall not be required to receive any additional goods for storage in its warehouse in Milpitas, California.
2. Applicant shall, within ten days after the date of this order, file with the Commission its written acceptance of this order, including all of the provisions and conditions thereof.
3. Applicant shall cause to be prepared and to be mailed or otherwise delivered to each of the storage patrons of its Milpitas warehouse within twenty days after the date of this order, a true and complete copy of this order.
4. Applicant's storage patrons of its warehouse in Milpitas, California, may designate any available public utility warehouse or other location within the vicinity of Milpitas to which their stored property shall be moved; however, in the absence of such election on or before thirty days after the date hereof, applicant may transport such property to any public utility warehouse within that vicinity.
5. Applicant shall pay, for its own account, and at no expense to its patrons, any and all costs connected with the transfer of stored property from its warehouse in Milpitas, California, to other locations, whether designated by its patrons or otherwise, including transportation, the handling charges of the receiving warehouse, and any additional storage charges occasioned by a difference in storage periods between its own and the receiving warehouse.

- 6. Applicant shall, promptly on removal of all stored property from its warehouse in Milpitas, California, (a) file with the Commission a verified statement that it has fully complied with Conditions 1 to 5, inclusive, and (b) cancel all tariffs, concurrences and powers of attorney which it has on file with the Commission in connection with such warehouse operations.

The effective date of this order shall be the date hereof.

Dated at San Francisco, California, this 19th day of JULY, 1966.

George J. Crowe President

Frederick B. Halbach

Holloman L. Burns Commissioners

Commissioner Peter E. Mitchell, being necessarily absent, did not participate in the disposition of this proceeding.

Commissioner A. W. CATOY present but not voting.