

ORIGINAL

Decision No. 71320

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
)
 CALICO COMPRESS & WAREHOUSE COMPANY,)
 INC., a corporation,)
)
 for an Order authorizing it to issue)
 its shares and authorizing the)
 transfer to it of the rights of)
 CAMP & FELDER COMPRESS COMPANY to)
 operate as a warehouseman)

Application No. 48714
 Filed August 16, 1966
 and Amendment
 Filed September 2, 1966

O P I N I O N

This is an application for an order of the Commission authorizing Camp & Felder Compress Company to sell and transfer its public utility warehouseman operative right to Calico Compress & Warehouse Company, Inc., and authorizing the latter to issue and sell \$10,000 par value of its capital stock.

Camp & Felder Compress Company, a California corporation, is authorized to conduct business as a public utility warehouseman pursuant to the prescriptive operative right determined by the Commission on July 26, 1960 in Case No. 6635. Said right authorizes the operation of 90,000 square feet of floor space at McFarland and vicinity, exclusive of the expansion permissible under Section 1051 of the Public Utilities Code. It appears that the company's main source of revenue is derived from nonutility activities related to the compressing and handling of cotton.

Authority is sought in this proceeding to transfer the warehouse operative right for a consideration of \$10 to Calico Compress & Warehouse Company, Inc., a California corporation organized on or about August 10, 1966. The latter proposes to issue and sell 1,000 shares of its \$10 par value capital stock, at par for cash, to The American Thread Company for the purpose of obtaining \$10,000 working capital.

The application shows that the transferee will conduct its operations at McFarland in warehouse facilities to be leased from an affiliated company.

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 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 December 31, 1966, Camp & Felder Compress Company may sell and transfer, and Calico Compress & Warehouse Company, Inc. may purchase and acquire, the prescriptive operative right referred to in the application.

2. Calico Compress & Warehouse Company, Inc., on or before December 31, 1966, for the purpose specified in this proceeding, may issue and sell, at par for cash, not to exceed 1,000 shares of its \$10 par value capital stock.

3. Calico Compress & Warehouse Company, 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, Calico Compress & Warehouse Company, 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. Calico Compress & Warehouse Company, 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 of Camp & Felder Compress Company set forth in the Order dated July 26, 1960, in Case No. 6635, is hereby revoked and, in place and stead thereof, a prescriptive operative right as a public utility warehouseman is hereby stated for Calico Compress & Warehouse Company, Inc. 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, Calico Compress & Warehouse Company, 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 warehouse operations of the seller for the period commencing with the first day of the current fiscal 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 27th day of SEPTEMBER, 1966.

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

John E. Fitzhugh
President

George H. Grover

Fredrick B. Holbrook

Augustor

Commissioners

Calico Compress & Warehouse Company, Inc. 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>
McFarland and vicinity	90,000

(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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