

ORIGINAL

Decision No. 71361

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Investigation on the Commission's own)
motion into warehouse operative rights)
of C. V. Kelty, doing business as)
HEAP & HEAP VAN AND STORAGE CO.)

Case No. 6576

ORDER REVOKING WAREHOUSE OPERATIVE RIGHT

C. V. Kelty, doing business as Heap & Heap Van and Storage Co., possesses a prescriptive operative right as a public utility warehouseman for the operation of storage or warehouse floor space at San Bernardino.

H. J. Cox, Manager of Heap & Heap Van and Storage, informed the Commission by letter that the amount of business the utility transacted as a warehouseman did not compensate it for the expense entailed and that it ceased operations as a warehouseman of anything except used household goods over a year ago.¹

C. V. Kelty, having discontinued service as a public utility warehouseman without proper authority, the Commission finds that such failure constitutes good cause for revocation of the prescriptive warehouse operative right involved and cancellation of the tariff applicable to the service thereunder.

IT IS ORDERED that:

1. The prescriptive operative right as a public utility warehouseman possessed by C. V. Kelty, doing business as Heap & Heap Van and Storage Co., as determined by order dated June 28, 1960, in Case No. 6576, is hereby revoked.


¹ The term, "warehouseman", as used in Section 239 of the Public Utilities Code, does not include corporations or persons storing only secondhand household goods or effects.

2. Warehouse Tariff California P.U.C. No. 1 of Heap & Heap Van and Storage Company is hereby canceled.

The Secretary is directed to cause service of a certified copy of this order to be made upon C. V. Kelty or to mail a certified copy thereof to him at his last known address as shown in the Commission's records.


The effective date of this order shall be the thirtieth day after such service upon C. V. Kelty, or after the above mailing to him, 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 4th day of October, 1966.

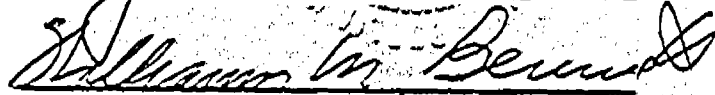


President









Commissioners