

**ORIGINAL**

Decision No. 71867

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Investigation on the Commission's	)	
own motion into warehouse operative	)	Case No. 6971
rights of Geo. E. Brothers, doing	)	
business as J. H. BROTHERS WAREHOUSE.)	)	

ORDER REVOKING WAREHOUSE OPERATIVE RIGHT

Geo. E. Brothers, doing business as J. H. Brothers Warehouse, possesses a prescriptive operative right as a public utility warehouseman for the operation of warehouse storage space at Stratford.

Mrs. George E. Brothers has informed the Commission in writing that George E. Brothers is deceased and that she had sold, in March of 1962, the warehouse property and scales to Frank D. Brothers, who previously had possessed separate operating authority from this Commission to operate as a public utility warehouseman in Stratford. The sale of the warehouse property involved, however, was accomplished without prior authority from this Commission. Frank D. Brothers was subsequently adjudicated bankrupt by the court and his authority revoked by this Commission in Decision No. 68051, dated October 13, 1964.

In the circumstances, it appears, and the Commission finds, that the revocation of the prescriptive warehouse operative right involved herein will not be adverse to the public interest. The Commission concludes that said prescriptive warehouse operative

right should be revoked and that the tariff applicable to services thereunder should be canceled.

IT IS ORDERED that:

1. The prescriptive operative right as a public utility warehouseman possessed by Geo. E. Brothers, now deceased, as determined by the Commission's order dated September 13, 1960, in Case No. 6971, is hereby revoked.

2. Jack L. Dawson, Agent, is hereby authorized and directed to cancel the participation of J. H. Brothers Warehouse from Warehouse Tariff No. 21, C.R.C. No. 127 (Series of L. A. Bailey), currently on file with the Commission, such cancellation to be made within ninety days after the effective date of this order on not less than ten days' notice to the Commission and to the public.


The Secretary is directed to cause service of a certified copy of this order to be made upon Frank D. Brothers and Mrs. George E. Brothers, or to mail a certified copy thereof to them at their last known addresses, as shown in the Commission's records, and to mail a copy of this order to Jack L. Dawson, Agent.

The effective date of this order shall be the thirtieth day after completion of such service or after the above mailing, as the case may be, unless before such effective date there shall have been filed with this Commission a written request for public

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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 17<sup>th</sup> day of January, 1967.

  
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President

  
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Commissioners