

ORIGINAL

Decision No. 71870

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Investigation on the Commission's own)
motion into warehouse operative rights)
of Dow R. Denney, doing business as)
MILLVIEW MILLING COMPANY.)

Case No. 6753

ORDER REVOKING WAREHOUSE OPERATIVE RIGHT

Dow R. Denney, doing business as Millview Milling Company, possesses a prescriptive operative right as a public utility warehouseman for the operation of storage or warehouse floor space at Madera and vicinity.

Dow R. Denney has never filed annual reports with this Commission. A field investigation conducted by a member of the Commission's staff, disclosed that the company is no longer in business.

Dow R. Denney having failed to file annual reports with the Commission, and having apparently discontinued public utility warehouse operations without proper authority, the Commission finds that such failure and discontinuance of service constitute good cause for revocation of the prescriptive operative right involved and cancellation of the tariff applicable to services thereunder.

IT IS ORDERED that:

1. The prescriptive operative right as a public utility warehouseman possessed by Dow R. Denney, doing business as Millview Milling Company, as determined by the Commission's order dated August 9, 1960, in Case No. 6753, is hereby revoked.

2. Warehouse Tariff C.R.C. No. 2 of Dow R. Denney, doing business as Millview Milling Company, is hereby canceled.

The Secretary is directed to cause service of a certified copy of this order to be made upon Dow R. Denney and Millview Warehousing and Milling Company, a corporation, or to mail a certified copy thereof to each of them at their last known addresses as shown in the Commission's records; and to mail a copy of this order to Elden P. Hart, Rt. 1, Box 23, Madera, California, and C. S. Snell, P. O. Box 598, Madera, California.

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 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 17th day of January, 1967.

John E. Fitzhugh
President

Augustin

William C. Bennett

Commissioners