

ORIGINAL

Decision No. 71993

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
CRISTINA WAREHOUSE CO., INC., a)
California corporation, for author-)
ity to increase public utility)
warehouse space within the City of)
San Jose, California.)

Application No. 48973
Filed November 23, 1966

O P I N I O N

Cristina Warehouse Co., Inc., operates as a public utility warehouseman in the City of San Jose pursuant to a certificate of public convenience and necessity granted by Decision No. 71400, dated October 11, 1966, in Application No. 48776. The certificate authorizes the operation of 48,000 square feet of floor space for the storage of general merchandise, exclusive of the expansion permissible under Section 1051 of the Public Utilities Code.

Applicant seeks a certificate authorizing an increase in floor space from 48,000 square feet to 116,800 square feet.¹ There are no protests.

Applicant presently occupies approximately 72,000 square feet of space located at 1045 and 999 North 10th Street, San Jose. Said space is within a single story, tilt-up concrete building containing a sprinkler system. It desires to obtain 44,800 square feet of additional space in three adjoining buildings.

¹ Section 1051 of the Public Utilities Code provides that no warehouseman shall add to, extend or otherwise increase his storage or warehouse floor space by more than 50,000 square feet without first having obtained a certificate from the Commission.

Vernon J. Cristina, president of applicant, operated as a private warehouseman for two years prior to issuance of a certificate by the Commission in Decision No. 60255, dated June 14, 1960, in Application No. 41671, authorizing the operation of 48,000 square feet of warehouse floor space in the City of San Jose for the storage of property as a public utility warehouseman. He conducted said operation as an individual until November 7, 1966 when the authority granted by Decision No. 71400, in Application No. 48776, to transfer the operation from Cristina, the individual, to the corporation was exercised by the parties. We take notice of said decisions.

We find that public convenience and necessity require the operation by applicant of 116,800 square feet of warehouse floor space for the storage of general commodities. We conclude that applicant should be granted a certificate authorizing such operation and that the certificate acquired by Decision No. 71400 should be revoked.

O R D E R

IT IS ORDERED that:

1. A certificate of public convenience and necessity is granted to Cristina Warehouse Co., Inc., a corporation, as a public utility warehouseman, as defined in Section 239(b) of the Public Utilities Code, for the operation of storage or warehouse floor space as set forth in Appendix A attached hereto and made a part hereof.
2. In providing service pursuant to the certificate herein granted, applicant shall comply with and observe the following service regulations:

- (a) Within thirty days after the effective date hereof, applicant shall file a written acceptance of the certificate herein granted. Applicant is placed on notice that, if it accepts the certificate of public convenience and necessity herein granted, it will be required, among other things, to file annual reports of its operations. Failure to file such reports, in such form and at such time as the Commission may direct, may result in a cancellation of the public utility warehouse operations authorized by this decision.
- (b) Within one hundred twenty days after the effective date hereof, applicant shall establish the service herein authorized and file tariffs, in triplicate, in the Commission's office.
- (c) The tariff filings shall be made effective not earlier than ten days after the effective 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 establishment of the service herein authorized.
- (d) The tariff filings made pursuant to this order shall comply with the regulations governing the construction and filing of tariffs set forth in the Commission's General Order No. 61-A.

3. The certificate of public convenience and necessity granted in paragraph 1 of this order shall supersede the certificate of public convenience and necessity acquired by Decision No. 71400 which certificate shall be revoked effective concurrently with the

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effective date of the tariff filings required by paragraph 2(b) hereof.

The effective date of this order shall be twenty days after the date hereof.

Dated at San Francisco, California, this 7th day of FEBRUARY, 1967.

John E. Hatchell
President

William L. Beem

August

William Lewis

Paul P. Morrison
Commissioners

