

ORIGINAL

Decision No. 73022

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of R. E. ELLIS WAREHOUSE, INC., a corporation, for authority to transfer its prescriptive operative right and certain property, and R. E. ELLIS, an individual, for authority to acquire said right and assume certain liabilities.

Application No. 49566
(Filed July 25, 1967)

O P I N I O N

R. E. Ellis Warehouse, Inc. requests authority to transfer a prescriptive right authorizing operations as a public utility warehouseman and certain property to R. E. Ellis as an individual.

The prescriptive right was acquired by Decision No. 66302 in Application No. 45923 and authorizes operations in 25,000 square feet of floor space in San Francisco.

It is alleged that the warehouse operations have resulted in heavy losses for several years and R. E. Ellis, who is the sole stockholder of the corporation and is also engaged in a drayage operation as an individual, desires to take the tax losses as an individual for tax purposes. The net value of the corporate assets is \$3,991.34.

After consideration the Commission finds that the proposed transfer would not be adverse to the public interest. A public hearing is not necessary.

The authorization herein granted shall not be construed as a finding of the value of the rights and properties herein authorized to be transferred.

O R D E R

IT IS ORDERED that:

1. On or before January 15, 1968, R. E. Ellis Warehouse, Inc. may sell and transfer, and R. E. Ellis may purchase and acquire, the operative rights and property referred to in the application.

2. Within thirty days after the consummation of the transfer herein authorized, R. E. Ellis 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.

3. R. E. Ellis shall amend or reissue the tariffs on file with the Commission, naming rates and rules governing the warehouse operations herein to show that he has adopted or established, as his own, said rates and rules. 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 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.

4. On or before the end of the third month after the consummation of the transfer as herein authorized, R. E. Ellis shall cause to be filed with the Commission, in such form as the

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Commission may prescribe an annual report, or reports, related to the 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.

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

Dated at San Francisco, California, this 6th day of September 1967.

[Signature]
President

[Signature]

[Signature]

[Signature]

[Signature]
Commissioners