

ORIGINAL

Decision No. 73088

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application
of TARKE WAREHOUSE, INC., a
California corporation, for an
order authorizing management and
storage agreement.

Application No. 49586
(Filed August 4, 1967)

O P I N I O N

Tarke Warehouse, Inc. seeks authorization to carry out the terms of an agreement entered into with Meridian Walnut Hulling Association.

The agreement contemplates the conveyance by Tarke to the association of one acre, more or less, of ground and a ten-year option on an adjoining acre. Authorization of these real estate transactions was granted by the Commission in Decision No. 72614, in Application No. 49258. Therefore, applicant here seeks authorization to carry out only a portion of the agreement.

The association plans to build a walnut hulling and drying facility on the conveyed property. The other portion of the agreement, authorization of which is here sought, is an agreement by Tarke to manage and operate the plant for the association. This is not a public utility service and therefore is outside of the Commission's jurisdiction. It follows that no authorization from us is needed. Accordingly, the application will be dismissed.

A. 49586 ds

The Commission finds that:

1. On or about January 19, 1967, Tarke Warehouse, Inc. entered into an agreement with Meridian Walnut Hulling Association providing for the sale and option of real property from Tarke to the association, the erection of a walnut hulling and drying plant by the association upon the property and the management of such plant by Tarke.
2. Tarke has heretofore obtained the Commission's authorization for the real property transfers in Decision No. 72614, dated June 9, 1967 in Application No. 49258.
3. The management aspect of the agreement does not call for the rendering of any public utility service by Tarke.

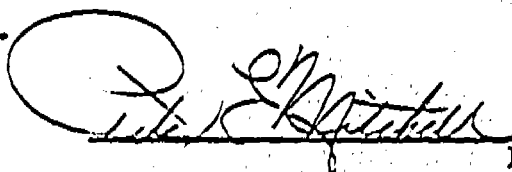
The Commission concludes that it has no jurisdiction of the management aspect of the agreement of January 19, 1967.

O R D E R


IT IS ORDERED that Application No. 49586 be, and it is, dismissed.

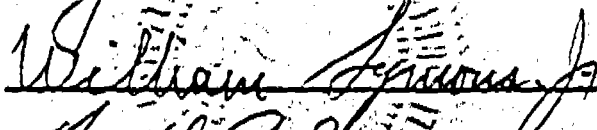
The effective date of this order shall be twenty days after the date hereof.

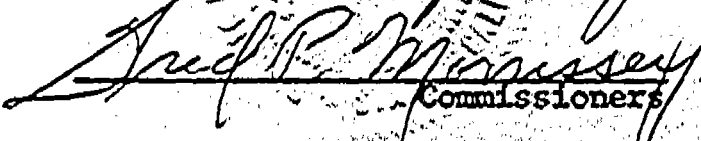
Dated at San Francisco, California, this 19th day of SEPTEMBER, 1967.



President






Commissioners

Commissioner William M. Bennett, being necessarily absent, did not participate in the disposition of this proceeding.