

**ORIGINAL**Decision No. 73225

## BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application )  
of Strain Ranches, Inc., a )  
California Corporation for an )  
Order Granting a Certificate of )  
Convenience and Necessity to )  
Operate as a Public Warehouseman. )

Application No. 49604  
(Filed August 15, 1967)

O P I N I O N

Strain Ranches, Inc. has filed this application for a certificate of public convenience and necessity to render public utility warehouse service in Colusa County near Arbuckle. Applicant has attached to its application a copy of its Articles of Incorporation, certified by the office of the Secretary of State.

Applicant has constructed two concrete storage warehouses, each of 17,600 square feet, fourteen steel storage bins ("silos") 42 x 12 feet in size, a drying facility and a public scale. These facilities are new. Financial statements filed with the application indicate that applicant has ample financial resources to initiate and operate the proposed service.

The Commission supplied applicant with a list of potential competitors. On August 28, 1967, applicant's attorneys served notices of the application on these entities. No protests have been received.

The application alleges that the existing drying and storage facilities in Colusa County are not sufficient; that grain has to be sent out of the county for storage on that account; and that more facilities are needed in the Sacramento Valley to meet peak harvest demand.

In the absence of protest the Commission will not require a hearing and will grant the application.

The Commission finds that:

1. Applicant has the facilities, personnel and financial resources to render the service proposed in the application.
2. Public convenience and necessity require that the application be granted.
3. A public hearing is not necessary.

The Commission concludes that the application should be granted as provided by the following order.

Strain Ranches, Inc. is hereby placed on notice that operative rights, as such, do not constitute a class of property which may be capitalized or used as an element of value in rate fixing for any amount of money in excess of that originally paid to the State as the consideration for the grant of such rights. Aside from their purely permissive aspect, such rights extend to the holder a full or partial monopoly of a class of business in particular communities. This monopoly feature may be modified or canceled at any time by the State, which is not in any respect limited as to the number of rights which may be given.

The action taken herein is for the issuance of a certificate of public convenience and necessity only and is not to be considered as indicative of amounts to be included in proceedings for the purpose of determining just and reasonable rates.

O R D E R

IT IS ORDERED that:

1. A certificate of public convenience and necessity is granted to Strain Ranches, 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 five days after the effective date of this order on not less than five 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.

The effective date of this order shall be the date hereof.

Dated at San Francisco, California, this 24<sup>th</sup> day of OCTUBER, 1967.

[Signature]  
President

[Signature]

[Signature]

[Signature]  
Commissioners

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APPENDIX A

STRAIN RANCHES, INC.

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Strain Ranches, Inc., a corporation, by the certificate of public convenience and necessity granted in the decision noted in the margin, is authorized to operate as a public utility warehouseman for the operation of storage or warehouse floor space in Colusa County, as follows:

<u>Location</u>	<u>Number of Square Feet Of Floor Space</u>
In the vicinity of Arbuckle	36,800

(The floor space shown above is exclusive of the expansion permissible under Section 1051 of the Public Utilities Code.)

End of Appendix A

Issued by California Public Utilities Commission.

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