

ORIGINAL

Decision No. 73885

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of CENTRAL TERMINAL  
WAREHOUSE COMPANY, a corporation,  
to transfer its public utility  
warehouse operative right to  
Pico Rivera.

Application No. 50005  
Filed February 7, 1968;  
amended February 21, 1968.

O P I N I O N

Central Terminal Warehouse Company, a California corporation, is engaged in the business of operating a public utility warehouse in the central business area of the City of Los Angeles. By this application it seeks authority to transfer its operations to the City of Pico Rivera.

As justification for this request applicant alleges and states that:

1. For more than twenty years it has conducted its public utility warehouse operations in leased premises at 639 Antonia Avenue, Los Angeles, pursuant to operative authority acquired under Decision No. 40731 dated September 23, 1947. <sup>1/</sup>
2. At present it is occupying approximately 65,000 square feet of floor space at said location.
3. About 40,000 square feet of said area is dedicated to, and is used for, public utility storage. The remainder of the space is used for office purposes or is unoccupied.
4. Applicant's long-term lease of the aforesaid premises expired in July, 1965. Since then its occupancy of the premises has been on a month-to-month basis.

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<sup>1/</sup> It appears that at the time of the issuance of Decision No. 40731, the seller of the involved operative right was devoting approximately 40,000 square feet of storage space to public utility business.

5. On or about December 28, 1967, applicant was notified by the lessor that the month-to-month arrangements would be terminated and that it should vacate the premises by February 28, 1968.
6. Applicant has obtained other warehouse space at 4840 Gregg Road, Pico Rivera, which is suitable for the continuance of its warehouse operations.
7. Said warehouse space measures approximately 40,000 square feet in area. In addition, applicant has leased an additional 10,000 square feet of adjacent storage area at the same location, which space is available for public utility warehousing should the needs of applicant's patrons so require.
8. The proposed warehouse is approximately 10 miles from the location of applicant's present warehouse, and is within the same general industrial and commercial complex that is comprised of Los Angeles and adjacent cities and communities.
9. A study which applicant had made of the availability of public utility warehouse space within Pico Rivera and vicinity discloses that there is no public utility warehouse operations within a radius of four miles of applicant's proposed warehouse; that in Pico Rivera and the adjacent cities of Whittier, Montebello and portions of Santa Fe Springs there are only two public utility warehouses; and that the total public utility warehouse space of said warehouses is 7,500 square feet.
10. The City of Pico Rivera and adjacent communities have experienced a tremendous growth in population and commercial activities in recent years.
11. According to latest available figures of the Pico Rivera Chamber of Commerce the population of Pico Rivera as of October, 1967, was 182,875 persons. The number of employed persons was 71,300.
12. Public convenience and necessity require the establishment of applicant's proposed warehousing operations at Pico Rivera.
13. Applicant has informed each of its present storers of the proposed move to Pico Rivera and has offered to pay all costs of moving their stored merchandise to said location or to any other public utility warehouse selected by them within the vicinity of applicant's present location, including in-and-out handling charges. All of said storers have informed applicant that they have no objection to said move, and that they prefer to remain applicant's customers.

14. The transfer of applicant's operations to Pico Rivera would have no adverse effect upon the public inasmuch as applicant proposes to assess the same rates and charges for its services at Pico Rivera as it is assessing for its services at its present location in Los Angeles.
15. Public convenience and necessity no longer require the public utility warehousing services in Los Angeles which applicant has been providing.

The application in this matter was listed on the Commission's calendar of February 6, 1968. The amendment thereto was listed on the Commission's calendar of February 26, 1968. No objections to the application, as amended, have been made known to the Commission.

The Los Angeles Warehousemen's Association has informed the Commission that it is not opposed to the granting of the application.

Public hearing on the application, as amended, is not necessary.

The Commission finds that:

1. Public convenience and necessity require that applicant engage in the business of a warehouseman (as defined in Section 239(b) of the Public Utilities Code) at 4840 Gregg Road in the City of Pico Rivera and operate at said location 40,000 square feet of warehouse space.

2. Public convenience and necessity no longer require public utility warehouse operations by applicant at 639 Antonia Avenue, Los Angeles.

The Commission concludes that the application should be granted. In view of the demands upon applicant to vacate its present premises, the Commission also concludes that the effective date of the order should be the date on which it is issued.

The certificate hereinafter granted shall be subject to the following provision of law:

The Commission shall have no power to authorize the capitalization of this certificate of public convenience and necessity, or the right to own, operate or enjoy such certificate of public convenience and necessity in excess of the amount (exclusive of any tax or annual charge) actually paid to the State as the consideration for the grant of such certificate.

The order which follows will also provide for the revocation of the right which applicant holds to operate as a public utility warehouseman in the City of Los Angeles.

O R D E R

IT IS ORDERED that:

1. A certificate of public convenience and necessity is granted to Central Terminal Warehouse Company, 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. The operative right which Central Terminal Warehouse Company acquired pursuant to Decision No. 40731 is revoked, said revocation being effective concurrently with the commencement of the warehouse operations authorized by the preceding paragraph No. 1.
3. Applicant shall amend or reissue its tariffs on file with the Commission to show that the rates and rules governing its warehouse operations at 639 Antonia Street, Los Angeles, have been made applicable to its warehouse operations at 4840 Gregg Road, Pico Rivera. The tariff filings shall be made effective on not less than five days' notice to the Commission and to the public, and the effective date of said tariff filings shall be concurrent

with the commencement of applicant's warehouse operations in Pico Rivera. The tariff filings made pursuant to this order shall comply in all respects with the regulations set forth in the Commission's General Order No. 61-A governing the construction and filing of tariffs.

4. In providing service pursuant to the certificate herein granted, Central Terminal Warehouse Company, a corporation, shall comply with and observe the following service regulation:

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 utilities warehouse operations authorized by this decision.

5. At the direction of any storage patron of applicant's warehouse in Los Angeles, the property of said storer shall be transported at applicant's risk either to (a) applicant's warehouse at 4840 Gregg Road, Pico Rivera, or to (b) any public warehouse of storer's choice in the central business area of the City of Los Angeles. All transportation charges and in-and-out handling charges stemming from the relocation of the property of applicant's storers shall be borne by applicant. With respect to property transferred at storer's request from applicant's warehouse in Los Angeles to another public warehouse in Los Angeles applicant

shall prorate any storage charges it has collected in advance for the storage of said property and refund any unearned charges to the storers involved.

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

Dated at San Francisco, California, this 19<sup>th</sup> day of MARCH, 1968.

*Ed Mitchell*  
President

*Stollman W. Bennett*

*Augustus*

*William Simpson*

*Fred P. Monahan*  
Commissioners

Appendix A      CENTRAL TERMINAL WAREHOUSE COMPANY      Original Page 1  
(a corporation)

Central Terminal Warehouse Company, 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 as follows:

<u>Location</u>	<u>Number of Square Feet of Floor Space</u>
Pico Rivera	40,000

(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.

Decision No. 73885, Application No. 50005.