

ORIGINALDecision No. 74701

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 WOODLAND MILL SUPPLY COMPANY, a)
 California corporation, FRED JOOST,)
 doing business as JOOST GRAIN)
 ELEVATORS, and DAVID S. ADAMS, NANCY)
 ADAMS BLOOM, WILLIAM OSBORN ADAMS,)
 and ELIZABETH ANNE PEABODY, copartners)
 doing business as ADAMS WAREHOUSE)
 COMPANY for an order authorizing the)
 lease of operative rights held by)
 FRED JOOST, doing business as JOOST)
 GRAIN ELEVATORS and for an order)
 authorizing the lease of real)
 property.)

Application No. 50432
 (Filed July 25, 1968)

O P I N I O N

This application alleges that Fred Joost operates a 19,600 square foot public utility warehouse on property leased from the Woodland Mill Supply Company in Woodland, Yolo County, California. It is further alleged that Joost wants to get out of the business for a while due to personal reasons and that Adams Warehouse Company, an experienced operator, has agreed to lease the Joost operating authority and to sublease the warehouse premises from Joost which the latter leased from the Woodland Mill Supply Company. The consideration for the transfer of the operating rights is to be the sublease of the Joost warehouse.

After consideration, the Commission finds that:

1. The proposed lease will not be adverse to the public interest.
2. A public hearing is not necessary.

On the basis of these findings we conclude that the application should be granted.

O R D E R

IT IS ORDERED that:

1. On or before January 1, 1969, Fred Joost may transfer, and David S. Adams, Nancy Adams Bloom, William Osborn Adams and Elizabeth Anne Peabody, copartners doing business as Adams Warehouse Company, hereinafter called Adams Warehouse, may acquire the prescriptive operative right referred to in the application.

2. Within thirty days after the consummation of the lease herein authorized, Adams Warehouse shall notify the Commission, in writing, of that fact and within said period shall file with the Commission a true copy of the instrument of transfer which may be executed to effect said transfer.

3. Adams Warehouse shall amend or reissue the tariffs on file with the Commission, naming rates and rules governing the warehouse operations herein to show that lessees have adopted or established, as their 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. Failure to comply with and observe the provisions of General Order No. 61-A may result in a cancellation of the operating authority granted by this decision.

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

A. 50432 1m

Commission may prescribe, an annual report, or reports, related to the operations of the lessor for the period commencing with the first day of the current fiscal year to and including the effective date of the transfer.

5. Concurrently with the transfer of operating rights described herein Fred Joost may sublease his business premises consisting of 19,600 square feet of warehouse storage space to Adams Warehouse, under the terms and conditions described in the application filed herein.

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

Dated at San Francisco, California, this 17th day of SEPTEMBER, 1968.

William Lyons Jr.
President

William L. Bernard

Augustin

Richard M. Morrison
Commissioners

Commissioner Peter E. Mitchell

Present but not participating.