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Decision No. 74977

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application  
of MILLER MOVING & STORAGE CO.,  
a California corporation, for a  
certificate of public convenience  
and necessity to operate as a  
public warehouseman.

Application No. 50424  
(Filed July 24, 1968)

Donald G. Hubbard, for applicant.  
John Lyons, for Mitchell Silliman Company,  
Felix Marsh Transfer & Storage and  
Maris Van & Storage Co., protestants.  
Peter N. Kujachich, for the Commission staff.

O P I N I O N

Miller Moving & Storage Co. requests a certificate of public convenience and necessity to operate as a public utility warehouseman at Monterey and Salinas.

A public hearing was held before Examiner Daly on October 17, 1968, at Monterey and the matter was submitted.

Applicant is presently engaged in the transportation of property pursuant to permits duly issued by the Commission. It is also engaged as a private warehouseman for the storage of used household goods. Facilities at Monterey consist of office space and 16,560 square feet of warehouse space, 4,000 square feet of which would be dedicated to public use. The building is constructed of reinforced concrete and is equipped with sprinklers. The Salinas facility is also a reinforced concrete building consisting of 6,000 square feet of warehouse space. In addition thereto applicant proposes to construct 16,000 square feet of additional space at Salinas.

Applicant contends that the Monterey Peninsula has experienced a substantial economic growth in the past few years which has resulted in an increased demand for public utility warehouse space.

Applicant and its predecessor have been engaged in the moving and storage business since prior to 1900 and its president was engaged in the operation of a public utility warehouse in the State of Minnesota for a period of 18 years. As of November 30, 1967, applicant indicated a net worth in the amount of \$184,140.

Two public witnesses appeared in support of the application. The first appeared on behalf of the Monterey County Industrial Development, a nonprofit agency organized for the purpose of promoting the economy of Monterey County. The witness testified that he was of the opinion that there was a need for additional public utility warehouse facilities in the Monterey area, and he based his opinion upon statements expressed by representatives of various companies located within the area.

The second witness represented the Peter Paul Company, which is engaged in the manufacture and distribution of candy bars. According to this witness his company is presently storing 9,000 cases of chocolate in public warehouse space in San Jose and 6,000 bags of coconut in public warehouse space in San Francisco. He testified that existing facilities in the proposed area are not suitable for the storage of such products. The need to store away from the area, he stated, has resulted in higher freight charges and an inconvenience to his company. If authorized his company would use applicant's service.

Protestants introduced evidence relating to their existing operations. The president of Mitchell Silliman Company testified that his company operates 100,000 square feet of public utility

warehouse space in the Salinas area, 40,000 square feet of which consists of a concrete structure equipped with sprinklers. He stated that his company actively solicits business and provides a general warehouse service. His company has stored candy products in the past including chocolate and coconut and has never received any complaints. According to the witness, Peter Paul Company has never made a request for storage space. His company's occupancy averages between 40 and 50 percent.

The office manager for Felix Marsh Transfer testified that his company has dedicated 7,000 square feet of space in Salinas to public storage. His company's occupancy varies between 50 and 60 percent. He stated that his company has stored candy in the past without difficulty or complaint and will presently provide such service upon request.

The owner of Maris Van & Storage Company, which provides the only public utility warehouse space in the City of Monterey, testified that she operates 14,700 square feet of storage space, 4,000 square feet of which has been dedicated to the storage of general commodities. She stated that she has stored candy in the past without difficulty or complaint and would do so for the Peter Paul Company if requested. Her occupancy varies between 15 and 20 percent.

After consideration the Commission finds that:

1. Applicant is presently providing storage space for used household goods incidental to its moving business in Monterey and Salinas.
2. Applicant proposes to operate as a public utility warehouseman for the storage of general commodities in Monterey and Salinas.

3. Applicant possesses the necessary experience and financial ability to provide such service.

4. One public witness testified with respect to his company's actual business needs and requirements for public storage within the proposed area and it was limited to the storage of chocolate, which requires temperature control, and coconut. His company is presently using public utility warehouse facilities in San Jose and San Francisco for these products.

5. There are two existing public utility warehouses in Salinas and one in Monterey. Each is operating at considerably less than capacity. Each has stored candy without difficulty or complaint. Each is ready, willing and able to provide public storage service upon request.

6. Public convenience and necessity do not require the granting of the authority sought.

Based upon the record herein the Commission concludes that the application should be denied.

O R D E R

IT IS ORDERED that Application No. 50424 is denied.

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

Dated at San Francisco, California, this 26<sup>th</sup>  
day of NOVEMBER, 1968.

William Symons, Jr.  
President  
Sheldon R. Bennett

Commissioner A. W. Gatov, being  
necessarily absent, did not participate  
in the disposition of this proceeding.

Commissioner Fred P. Morrissey, being  
necessarily absent, did not participate  
in the disposition of this proceeding.  
Commissioners