

ORIGINAL

Decision No. 75817

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Packers' Cold Storage, Inc., a corporation, for a certificate of public convenience and necessity to operate food warehouses in Fullerton, Anaheim, and La Habra, California.

Application No. 47763

ORDER ON MOTIONS

The Pacific States Cold Storage Warehousemen's Association and the Los Angeles Warehousemen's Association joined in filing a Motion to Reject Document Entitled "Packers' Cold Storage Warehouse Tariff No. 100 Containing Three Sections", and a second Motion to Reject Third Amendment to Application for Certificate of Convenience and Necessity.

The motion to reject the tariff relies on the argument that applicant concluded its presentation of evidence on February 19, 1969 and should not be allowed to file an additional exhibit on April 18, 1969 after having rested its case. The tariff was first placed in evidence on February 19, 1969 as Exhibit No. 47. The filing on April 18, 1969 merely adds a title page to the exhibit and several very minor changes. The tariff is not a new exhibit and all parties were advised at the February 19, 1969 hearing that a supplemental filing would be made to incorporate very minor changes and additions. The motion to reject the tariff should be denied.

The Motion to Reject Third Amendment to Application is based on the same ground as the Motion to Reject the Tariff. It is alleged that there is already before the Commission a list of locations from which applicant hopes to provide service.

The third amendment to the application alleges that the site where applicant's office was located has been condemned and applicant has moved to another building. The new address is identified along with the other locations from which applicant hopes to provide service. Several of the locations listed have not been previously used by the applicant. The third amendment lists the current locations of applicant's office and warehouses. It would not be logical to strike this information from the record. The Motion to Reject Third Amendment to Application should be denied.

IT IS ORDERED that:

1. The Motion to Reject Document Entitled "Packers' Cold Storage Warehouse Tariff No. 100 Containing Three Sections" is denied.

2. The Motion to Reject Third Amendment to Application for Certificate of Convenience and Necessity is denied.

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

Dated at San Francisco, California, this 24th day of JUNE, 1969.

William Lyons Jr.
President
Augusta
Ed P. M. [unclear]
[unclear]
[unclear]
Commissioners