

ORIGINAL

Decision No. 77353

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)	
THE EUREKA ICE AND COLD STORAGE)	Application No. 51856
COMPANY for an increase in Rates.)	(Filed April 30, 1970)

OPINION AND ORDER

The Eureka Ice and Cold Storage Company, a corporation, operates as a public warehouseman at Eureka for the storage of commodities requiring refrigeration. By this application, it seeks authority to revise its rates and charges for the cold storage and incidental handling of various commodities on five days' notice.¹

Applicant proposes to: (1) increase its minimum charges for labor services from \$1.00 to \$1.50; (2) increase its charges for services at other than regular hours and special labor and clerical service by 25 percent; (3) cancel rates for the storage of butter, fruits, fruit juices, fruit pulp, vegetables and fish livers; and (4) increase its rates for the storage of various commodities by amounts ranging from 6 to 43 percent depending upon the commodity and size of the lot stored and the special services involved.²

¹ The rates are set forth in The Eureka Ice and Cold Storage Company Cold Storage Warehouse Tariff No. 6, Cal.P.U.C. No. 6.

² Applicant's proposal is set forth in detail in Exhibit A attached to the application.

Applicant avers that the present rates and charges have not been increased during the past five years even though the costs of operations have steadily advanced over this period. Applicant alleges that such rates and charges do not yield revenues sufficient in amount to allow it to conduct its warehouse operations at a reasonable profit. Applicant declares that the sought rates and charges are necessary to enable it to continue in business and to render adequate and efficient service to the public.

Revenue and expense data submitted by applicant indicate that the warehouse operations yielded \$85,164.91 in revenue, incurred \$108,409.40 in expenses, including an unusual expense of \$4,000.00, and resulted in a loss of \$23,244.49 and an operating ratio of 127.3 for 1969; and that operations under the proposed rates and current costs would have yielded \$94,107.23 in revenue, incurred \$106,786.40 in expenses and resulted in a loss of \$12,679.17 and an operating ratio of 113.5.

Applicant anticipates that the year 1970 will bring an additional volume of business which should make up the deficit under the proposed rates and charges. According to applicant, the rates which it seeks to cancel are inactive.

Applicant declares that it mailed a notice to all storers of record informing them of its proposal. The application was listed on the Commission's Daily Calendar of May 1, 1970. No objection to the granting of the application has been received.

The Transportation Division staff has reviewed the application and recommends that it be granted by ex parte order.

In the circumstances, it appears, and the Commission finds, that increases resulting from the publication and cancellation of rates and charges as proposed in the application are justified. A public hearing is not necessary. The Commission concludes that the application should be granted to the extent set forth in the ensuing order.

Applicant will be authorized to publish the tariff changes on not less than five days' notice to the Commission and to the public. In authorizing the increases as proposed, the Commission does not make any finding of fact as to the reasonableness of any particular rate or charge involved herein.

IT IS ORDERED that:

1. The Eureka Ice and Cold Storage Company is authorized to establish increased rates and charges and other adjustments as specifically proposed in Application No. 51856.

2. Tariff publications authorized to be made as a result of the order herein shall be filed not earlier than the effective date of this order and may 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 to the public.

3. The authority granted herein is subject to the express condition that applicant will never urge before this Commission in any proceeding under Section 734 of the Public

Utilities Code, or in any other proceeding, that the opinion and order herein constitute a finding of fact of the reasonableness of any particular rate or charge and that the filing of rates and charges pursuant to the authority granted herein will be construed as consent to this condition.

4. The authority granted herein shall expire unless exercised within ninety days after the effective date of this order.

This order shall become effective twenty days after the date hereof.

Dated at San Francisco, California, this 11th day of June, 1970.

William Sproul, Jr.
President
August
William
John
James L. Stinson
Commissioners