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Decision No. 78055

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Pacific Coast Service)
Co., a corporation, for authoriza-)
tion to operate as a public ware-)
houseman in South San Francisco,)
California.)

Application No. 52192
(Filed September 11, 1970)

O P I N I O N

Pacific Coast Service Co. requests authority to operate as a public utility warehouseman in 5,000 square feet of space in the City of South San Francisco.

Applicant is presently engaged as a private warehouseman in South San Francisco. Its present leased facilities, which are located at 229, 230 and 233 Ryan Way, consist of a modern, one-story, concrete building with 51,000 square feet of space. Said facilities are served by a private spur track of the Southern Pacific Railroad and are equipped with one railroad and two truck-loading docks, a weighing scale and efficient fire prevention and safety devices. As of October 31, 1969, applicant indicated a net worth in the amount of \$50,032.

It is alleged that there is no existing public utility warehouse at South San Francisco; that applicant has received a substantial number of requests from various companies asking it to institute a public warehouse operation at its premises in South San Francisco; that many companies have need for points of storage and distribution in close proximity to San Francisco International Airport; and that such companies would be benefited by the establishment of the proposed service.

A copy of the application was served upon the California Warehousemen's Association and no protest has been received.

After consideration the Commission finds that public convenience and necessity require the granting of the application. A public hearing is not necessary.

Pacific Coast Service Co., a corporation, is hereby placed on notice that operative rights, as such, do not constitute a class of property which may be capitalized or used as an element of value in rate fixing for any amount of money in excess of that originally paid to the State as the consideration for the grant of such rights. Aside from their purely permissive aspect, such rights extend to the holder a full or partial monopoly of a class of business over a particular route. This monopoly feature may be modified or canceled at any time by the State, which is not in any respect limited as to the number of rights which may be given.

O R D E R

IT IS ORDERED that:

1. A certificate of public convenience and necessity is granted to Pacific Coast Service Co., 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. In providing service pursuant to the certificate herein granted, applicant shall comply with and observe the following service regulations. Failure so to do may result in a cancellation of the operating authority granted by this decision.
 - (a) 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.

- (b) Within one hundred twenty days after the effective date hereof, applicant shall establish the service herein authorized and file tariffs, in triplicate, in the Commission's office.
- (c) 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 establishment of the service herein authorized.
- (d) The tariff filings made pursuant to this order shall comply with the regulations governing the construction and filing of tariffs set forth in the Commission's General Order No. 61-A.

3. Applicant shall comply with the regulations of the California Department of Public Health concerning hazardous or toxic commodities and shall include in its tariff a rule reading substantially as follows:

Hazardous or Toxic Commodities:

The warehouseman will not be required to accept for storage any commodity of a toxic nature which could contaminate other commodities in storage or be hazardous to the health of warehouse personnel. At warehouseman's option such hazardous or toxic commodities, when properly packaged and labeled to reduce contamination and health hazard to a minimum, may be accepted for storage in an area isolated from other commodities subject to contamination. Any additional services in the way of

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warehouse labor or excessive use of space arising from isolation of such commodities will be charged to the storage account.

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

Dated at San Francisco, California, this 9th day of DECEMBER, 1970.

Chairman
Ruzicki

William Sproule

James [unclear]

Yvonne L. Sturgeon
Commissioners

Commissioner J. P. Vukasin, Jr., being necessarily absent, did not participate in the disposition of this proceeding.

Pacific Coast Service Co., 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 as defined in Section 239(b) of the Public Utilities Code for the operation of storage or warehouse floor space as follows:

<u>Location</u>	<u>Number of Square Feet of Floor Space</u>
South San Francisco	5,000

(The floor space shown is exclusive of the expansion permissible under Section 1051 of the Public Utilities Code.)

(END OF APPENDIX A)

Issued by California Public Utilities Commission.

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