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ORIGINAL

Decision No. 78654

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
FRESNO CONSUMERS ICE COMPANY, a )  
Corporation, for authorization to )  
discontinue operations as a Public )  
Cold Storage Warehouseman at Exeter. )

Application No. 52510  
(Filed March 19, 1971)

O P I N I O N

Fresno Consumers Ice Company requests authority to discontinue operations as a public utility warehouseman in Exeter.

The operating authority is of a prescriptive nature and was set forth in Commission Order dated June 20, 1960, in Case No. 6553. Said authority provides for the operation of cold storage public warehousing in 50,420 square feet of space in Fresno and 30,720 square feet of space in Exeter.

It is alleged that applicant's warehouse at Exeter is a single-purpose warehouse used primarily for the storage and gassing of table grapes; that it generally remains empty during those months of the year when no grapes are held in storage; that applicant's business in the storage of grapes has dwindled in recent years; that during the past year occupancy at Exeter was 12-1/2 percent of that of the five previous years; that grape growers have been expanding their own grape storing and gassing facilities; that applicant suffered a loss of \$31,813 from its Exeter operations for the year 1970; that currently applicant has no customers at Exeter and during the year 1970 only five customers availed themselves of applicant's warehouse service at Exeter, and that each of said customers is willing to use facilities other than applicant's.

The Commission is in receipt of a letter from each of the five customers indicating that they have no objections to applicant's discontinuance of service at Exeter.

After consideration the Commission finds that public convenience and necessity no longer require applicant's service as a public utility warehouseman at Exeter. A public hearing is not necessary. Applicant's remaining warehouse authority will be restated.

O R D E R

IT IS ORDERED that:

1. After the effective date hereof Fresno Consumers Ice Company is authorized to discontinue service as a public utility warehouseman in Exeter.
2. A certificate of public convenience and necessity is granted to Fresno Consumers Ice Company, a corporation, as a public utility warehouseman, as defined in Section 239(c) 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.
3. 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.

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

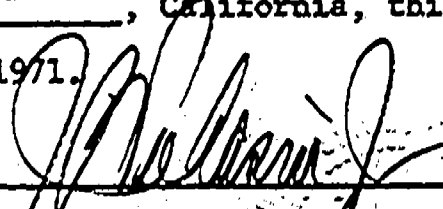
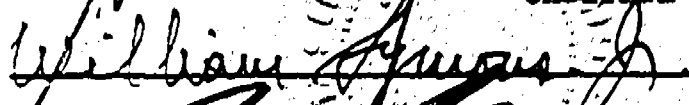


5. The certificate of public convenience and necessity granted in paragraph 2 of this order shall supersede the certificate of public convenience and necessity granted by Commission Order

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dated June 20, 1960, in Case No. 6553, which certificate is revoked effective concurrently with the effective date of the tariff filings required by paragraph 3(b) hereof.

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

Dated at San Francisco, California, this 11<sup>th</sup> day of MAY, 1971.

  
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Chairman  
  
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Vernon L. Sturgeon  
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Commissioners

Fresno Consumers Ice Company, 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(c) 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>
Fresno	50,420

(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.

Decision No. 78654, Application No. 52510.