

ORIGINAL

Decision No. 29855

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of CENTRAL TERMINAL
WAREHOUSE COMPANY, a corporation,
for authorization to transfer its
public utility warehouse operating
right from Pico Rivera to Santa Fe
Springs, California; and for
authorization to cease operations
at Pico Rivera, California.

Application No. 53098
(Filed January 14, 1972)

O P I N I O N

Applicant requests authority to move its public utility warehouse from Pico Rivera, in Los Angeles County, to Santa Fe Springs, which is eight miles away.

It is alleged that the Pico Rivera warehouse has inadequate fire protection and the cost of fire insurance is excessive. The facility in Santa Fe Springs is a new building designed as a public utility warehouse. It has a railroad spur, a large fenced parking lot and a modern truck loading dock. Applicant will occupy 50,000 square feet and use 40,000 square feet as warehouse space.

Applicant's customers will have their goods moved to the new location at applicant's expense. All of the customers, excepting one small account, have advised they have no objection to the move. The customer who prefers to remain in Pico Rivera will be moved to a nearby warehouse at applicant's expense.

Applicant operates in Pico Rivera pursuant to a certificate originally acquired from Central Warehouse and Storage Company by Decision No. 40731, dated September 23, 1947. Applicant provides 40,000 square feet of public warehouse storage space pursuant to Decision No. 73885, dated March 19, 1968, in Application No. 50005.

Applicant's October 31, 1971 balance sheet and profit and loss statement are attached to the application. A copy of the application was mailed to the Los Angeles Warehouseman's Association and no protests have been filed. A public hearing is not necessary.

After consideration the Commission finds that:

1. Applicant should be authorized to cease operations in Pico Rivera and to move its public utility warehouse to Santa Fe Springs, California.
2. Public convenience and necessity no longer require regular warehouse facilities at the old location.
3. Public convenience and necessity require additional warehouse facilities at the new location.
4. Applicant possesses the experience, equipment, personnel and financial resources to initiate and maintain the proposed service.
5. Applicant's operating authority should be consolidated in this decision and all prior certificates should be revoked.
6. Public convenience and necessity require that the application be granted as set forth in the ensuing order.

Based on the foregoing findings of fact, the Commission concludes that the application should be granted.

Central Terminal Warehouse Company 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 these rights. Aside from their purely permissive aspect, such rights extend to the holder a full or partial monopoly of a class of business. 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 Central Terminal Warehouse Company, 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 amend its tariffs on file with the Commission to reflect the authority herein granted.
- (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. The certificate of public convenience and necessity granted in paragraph 1 of this order shall supersede all existing certificates of public convenience and necessity authorizing operation as a public utility warehouseman, heretofore granted to or acquired by Central Terminal Warehouse Company and presently possessed by it, which certificates are revoked effective concurrently with the effective date of the tariff filings required by paragraph 2(b) hereof.

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

Dated at San Francisco, California, this 28th
day of MARCH, 1972.

William J. Sweeney Chairman
John L. Stenger
Commissioners

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

Central Terminal Warehouse 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 utilities warehouseman for the operation of storage or warehouse floor space as follows:

<u>Location</u>	<u>Number of Square Feet of Floor Space</u>
Santa Fe Springs	40,000

(The floor space shown above 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. 79855, Application No. 53098.