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ORIGINAL

Decision No. 80114

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of  
THOMPSON BROS., INC., a corporation,  
dba the DODD WAREHOUSES for a  
Certificate of Public Convenience  
and Necessity to Operate as a  
Warehouseman.

Application No. 53292  
(Filed April 26, 1972)

O P I N I O N

Thompson Bros., Inc., presently conducting operations as a public utility warehouseman and as a highway common carrier, requests authority to relocate a public utility warehouse operation from Oakland to Hayward and to increase the authorized space from 35,000 square feet to 120,000 square feet of space.

Applicant is presently conducting warehouse operations in Oakland in leased facilities, which applicant claims are improperly designed for the handling and storage of merchandise. It proposes to transfer the operations to newly acquired facilities in Hayward located a distance of five miles from the present location. The new facilities consist of 248,000 square feet of floor space and will contain expanded office facilities including a data processing center, a telecommunications department and a complete traffic rate department for analysis of west coast distributions. The building is designed to operate as a complete and modern warehouse facility with dock facilities to accommodate 20 vehicles and rail facilities to accommodate 15 rail cars.

It is alleged that the area presently served by applicant and the customers served will remain substantially the same; that all of said customers have been informed of the proposed relocation and all have indicated a willingness to use the new facilities.

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

After consideration the Commission finds that public convenience and necessity no longer require applicant's service as a public utility warehouseman in the City of Oakland and that public convenience and necessity require applicant's service as a public utility warehouseman in 120,000 square feet of storage space in the City of Hayward. A public hearing is not necessary.

O R D E R

IT IS ORDERED that:

1. A certificate of public convenience and necessity is granted to Thompson Bros., Inc., 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. 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:**

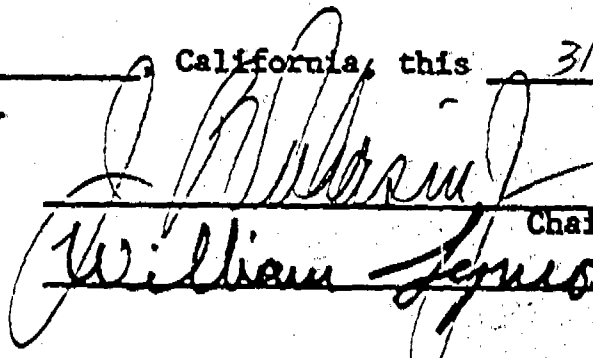
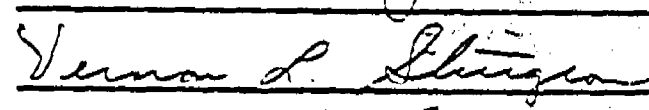

The warehouseman will not be required to accept for storage any commodity of a toxic nature which could contaminate other commodities in storage or be hazardous to the health of warehouse personnel. At warehouseman's option such hazardous or toxic commodities, when properly packaged and labeled to reduce 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.

4. The certificate of public convenience and necessity granted in paragraph 1 of this order shall supersede the certificate of public convenience and necessity granted by Decision No. 65581, dated June 18, 1963, which certificate is revoked effective concurrently with the effective date of the tariff filings required by paragraph 2(b) hereof.

5. Applicant shall bear the cost of transferring the property of its customers to the new warehouse in Hayward or to a warehouse of the customer's choice in the East Bay Area.

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

Dated at San Francisco, California, this 31<sup>st</sup> day of MAY, 1972.

  
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Chairman  
  
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Commissioners

Commissioner Thomas Moran, being necessarily absent, did not participate in the disposition of this proceeding.

Thompson Bros. Inc., a corporation, doing business as Dodd Warehouses, 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>
Hayward	120,000

(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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