

ORIGINAL

Decision No. 80178

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Investigation on the Commission's )  
own motion into warehouse operative )  
rights of FARMERS ALLIANCE BUSINESS )  
ASSOCIATION, a corporation. )

Case No. 6729

OPINION AND ORDER

Farmers Alliance Business Association, a corporation, is authorized to operate as a public utility warehouseman at Paso Robles and is a party to a tariff naming rates for the storage of agricultural commodities.<sup>1</sup>

Phil L. Perrin, Vice President of Farmers Alliance Business Association, has informed the Commission by letter that in the last few years only one small lot of grain has been stored at the warehouse facility and that the association is now primarily a feed manufacturing company. Mr. Perrin states that the association purchases and uses nearly 100 percent of the grains received at the facility for its own feed and seed and requests that the association be authorized to discontinue operations as a public utility warehouseman.

In the circumstances, it appears, and the Commission finds, that the proposed discontinuance of public utility warehouse operations would not be adverse to the public interest. A public hearing is not necessary. The Commission concludes that applicant should be authorized to withdraw said operations subject to certain conditions designed to protect the interests of its patrons.

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<sup>1</sup> The warehouse operative right is a prescriptive right as determined by order of the Commission dated August 1, 1960, in Case No. 6729.

IT IS ORDERED that Farmers Alliance Business Association, a corporation, is hereby authorized to discontinue public utility warehouse operations at Paso Robles and the prescriptive operative right as a public utility warehouseman at Paso Robles possessed by Farmers Alliance Business Association as determined by order dated August 1, 1960, in Case No. 6729, is hereby revoked, subject to the following conditions:

- a. Applicant shall continue operating as a public utility warehouseman at Paso Robles, rendering all services specified in its tariff, at rates and charges therein provided, so long as any property remains in storage in its warehouse; except that from and after the date of filing the written acceptance specified in Condition b hereof, applicant shall not be required to receive any additional goods for storage.
- b. Applicant shall, within twenty days after the effective date of this order, file with the Commission its written acceptance of this order, including all of the provisions and conditions thereof.
- c. Applicant shall cause to be prepared and to be mailed or otherwise delivered to each of its storage patrons, on or before twenty days after the effective date of this order, a true and complete copy of this order.
- d. Applicant shall, at the direction of the owner of any property remaining in storage, transport such property to any available public warehouse at the expense of applicant and at no expense or risk to the owner of the property transported.
- e. Applicant shall, promptly on removal of all stored property from its warehouse, (a) file with the Commission a verified statement that it has fully complied with Conditions a to d, inclusive, and (b) cancel all tariffs, powers of attorney and concurrences which it has on file with the Commission, tariff amendments to be made effective concurrently with the effective date of the discontinuance of service on not less than ten days' notice to the Commission and the public.

The Secretary of the Commission is directed to mail a copy of this order to Jack L. Dawson, Agent.

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

Dated at San Francisco, California, this 20<sup>th</sup> day of June, 1972.

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Chairman  
*William J. Lyons*  
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*James L. Sturgeon*  
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Commissioners

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