

Decision No. 80934

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application
of COMMERCE WAREHOUSE COMPANY, a
corporation, to extend or increase
storage or warehouse floor space
from 100,000 square feet to
200,000 square feet pursuant to
Section 1051 of the California
Public Utilities Code.

Application No. 53501
(Filed August 3, 1972)

O P I N I O N

Commerce Warehouse Company, a corporation, is presently engaged in warehouse operations under a certificate of public convenience and necessity granted by Decision No. 74321 dated July 2, 1968 in Application No. 50173. The certificate was reissued pursuant to Decision No. 77992 in Application No. 52139 authorizing relocation to its present address at 14659 Alondra Boulevard, La Mirada, California, and increasing the number of square feet of floor space to its present limit of 100,000 square feet. By this application it seeks authority to increase its storage or warehouse floor space from 100,000 square feet to 200,000 square feet.

Applicant asserts that its present facilities and limitation on its authorized space are no longer adequate to meet the increasing demands made upon it by the storing public and as a consequence, its landlord has agreed to construct additional space on rental terms similar to those which apply on the original structure.

Applicant states that it is fit and able, both by experience and financial responsibility to qualify for the expanded authority.

Applicant alleges that no other public utility warehouse will be adversely affected by the grant of the authority herein

sought and that the public will be substantially benefited by applicant's willingness to meet the increasing demand for its services.

As of June 30, 1972, applicant indicated a net worth in the amount of \$79,979.

A copy of the application was served upon the Los Angeles Warehousemen's Association. 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.

Applicant 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. 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 Commerce 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. 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.

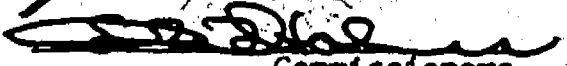
4. The certificate of public convenience and necessity granted in paragraph 1 of this order shall supersede the certificate of public convenience and necessity granted by Decision No. 77992, which certificate is revoked effective concurrently with the effective date of the tariff filings required by paragraph 2(b) hereof.

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 9th
day of JANUARY, 1975.



President


Commissioners


Commissioner William Simon, Jr., being necessarily absent, did not participate in the disposition of this proceeding.

Commerce Warehouse Company, a corporation, by the certificate of public convenience and necessity granted in the decision and 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>
La Mirada	200,000

(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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