

ORIGINAL

Decision No. 80963

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application )  
of PEERLESS TRUCKING COMPANY, a )  
corporation, to (a) Operate as a )  
Public Utility Warehouseman in )  
Long Beach, California; and (b) )  
Cease operations at Santa Monica, )  
California. )

Application No. 53703  
(Filed November 17, 1972)

O P I N I O N

Applicant requests authority to change the location of its warehouse facilities from 2625 Michigan Avenue, Santa Monica, to 1645 Daisy Avenue, Long Beach, California. At the Long Beach location applicant will occupy a metal, sprinklered building.

Applicant possesses a prescriptive operative right as a public utility warehouseman for 6,000 square feet of floor space at the Santa Monica address as set forth in an order dated August 9, 1960 in Case No. 6794. It also operates as a highway common carrier between various points in Southern California.

Applicant alleges that its present warehouse location is tied to its operation as a highway common carrier; that the lease of its Santa Monica facilities is expiring; and that it has more appropriate facilities in the city of Long Beach for the highway common carrier and related warehouse operations.

Applicant further alleges that none of its warehouse customers has any objection to the change in location and that it will move items currently in storage from the old location to the new location at no cost to the owner.

Applicant's rates and charges are published in California Warehouse Tariff Bureau, Warehouse Tariff No. 28-A, Cal. P.U.C. 193, Jack L. Dawson, Agent, including all supplements thereto. It states that this tariff will continue to apply at the new location.

Applicant states that prior to November 15, 1972, a copy of the application was forwarded to the Los Angeles Warehouseman's Association. No objection to the granting of the application has been received by the Commission.

Findings and Conclusion

1. Applicant is a public utility warehouseman storing general commodities in a warehouse containing 6,000 square feet of storage space located at 2625 Michigan Avenue, Santa Monica. Storage charges are pursuant to a tariff to which applicant is a party.

2. Applicant intends to move to a warehouse containing 6,000 square feet at 1645 Daisy Avenue, Long Beach. Storage charges there will be the same as at the present address.

3. Public convenience and necessity require the operation by applicant of business as a public utility warehouseman as defined in Section 239(b) of the Public Utilities Code at the location hereinafter set forth.

4. The abandonment of storage space at applicant's present location in the city of Santa Monica is not adverse to the public interest.

5. No change or increase in rates will result.

6. A public hearing is not necessary.

We conclude that the request should be granted.

O R D E R

IT IS ORDERED that:

1. A certificate of public convenience and necessity is granted to Peerless Trucking 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 and twenty days after the effective date hereof, applicant shall establish the service and amend its tariffs on file with the Commission to reflect the authority granted herein.
- (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, at the direction of the owner of any property in storage at the present location, transport such property to the new facility of applicant or any available public utility warehouse in the vicinity of Santa Monica at the expense of applicant and at no expense or risk to the owner of the property transported.

4. The certificate of public convenience and necessity granted in paragraph 1 of this order is in lieu of and supersedes applicant's existing prescriptive right authority set forth in an order dated August 9, 1960 in Case No. 6794 for the operation of 6,000 square feet of warehouse space in Santa Monica, which right or authority is hereby revoked and cancelled.

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

Dated at San Francisco, California, this 16th day of JANUARY, 1973.

Vernon L. Sturgeon  
President  
[Signature]  
[Signature]  
[Signature]  
Commissioners

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

Peerless Trucking 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(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>
Long Beach	6,000

(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.

Decision No. 80962, Application No. 53703.