

ORIGINAL

Decision No. 81263

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Investigation on the Commission's)
own motion into warehouse operative)
rights of MARKET STREET VAN &)
STORAGE, INC., a corporation.)

Case No. 6630

ORDER REVOKING WAREHOUSE OPERATIVE RIGHT

Market Street Van & Storage, Inc., a corporation, possesses a prescriptive operative right as a public utility warehouseman for the operation of storage or warehouse floor space in Sunnyvale.

A review by the Commission staff of the annual report for the warehouse operation at the above location for the calendar year 1971 showed that said operation was being conducted by Smyth Market Street Van & Storage Co. (Smyth), a corporation, and that used household goods were exclusively stored at this location.

As a result thereof, the Secretary of the Commission informed Smyth by letter that: (1) if a change in the ownership of the company had actually occurred, a formal application should be filed by the parties involved seeking to transfer the operative right from Market Street Van & Storage, Inc., to Smyth; or (2) if the warehouse operation is devoted exclusively to the storage of used household goods, Smyth should request that the operative right be revoked.¹

Smyth has, by letter to the Commission, requested that the operative right be revoked and the tariff covering said right be canceled.

¹ "Warehouseman", as defined in Section 239(b) of the Public Utilities Code, does not include persons or corporations which store used household goods exclusively.

In the circumstances, the Commission finds, that revocation of the prescriptive operative right, as requested, would not be adverse to the public interest. A public hearing is not necessary. The Commission concludes that the operative right should be revoked and the tariff applicable to the services thereunder should be canceled.

IT IS ORDERED that:

1. The prescriptive operative right as a public utility warehouseman possessed by Market Street Van & Storage, Inc., a corporation, as determined by the Commission's order dated July 26, 1960, in Case No. 6630, is hereby revoked.

2. Market Street Van & Storage, Inc., Warehouse Tariff No. 1, Cal.P.U.C. No. 1, is hereby canceled.

The Secretary is directed to cause service of a certified copy of this order to be made upon Market Street Van & Storage, Inc., a corporation, or to mail a certified copy thereof to it at its last known address as shown in the Commission's records and to mail a copy of this order to Warren Christiansen, Smyth Van & Storage Company, Inc., 11614 Aurora Avenue North, Seattle, Washington 98133.

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

Dated at San Francisco, California, this 10th day of
April 1973.

Vermon L. Stringer
President
William J. Vukasin, Jr.
[Signature]
[Signature]
Commissioners

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