

Decision No. 81356**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
 USCO SERVICES, INC., a Delaware )  
 corporation, to extend or increase )  
 storage or warehouse floor space )  
 from 5,000 square feet to 55,000 )  
 square, at Vernon, California, pur- )  
 suant to Section 1051 of the Cali- )  
 fornia Public Utilities Code. )

Application No. 53850  
 (Filed February 16, 1963)

O P I N I O N

USCO Services, Inc., a corporation, conducts public utility warehouse operations at Vernon, San Francisco, South San Francisco, and Los Angeles pursuant to a certificate of public convenience and necessity granted by Decision No. 80981 dated January 23, 1973 in Application No. 52791 and Case No. 9293.<sup>1</sup> The decision authorized service at South San Francisco and the certificate attached thereto restated applicant's prior authority to perform service at the other three locations.

By this application USCO Services, Inc., seeks authority to increase the 5,000 square feet of storage or warehouse floor space at Vernon stated in its certificate to 55,000 square feet. This is exclusive of the 50,000 square feet of expansion permissible without Commission authority pursuant to Section 1051 of the Public Utilities Code. In the event the application is granted, applicant would then be authorized by its certificate to have 55,000 square feet of public utility warehouse space and could expand this by the amount authorized in Section 1051 up to 105,000 square feet.

The application states that during 1971, applicant used 69,800 square feet of space at its Vernon warehouse for public

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<sup>1</sup> A petition for rehearing of Decision No. 80981 was denied by Decision No. 81274 dated April 17, 1973.

utility storage; that through inadvertence and oversight, it failed to file an application for the increase in storage space; that this was brought to its attention by a letter from the Commission dated January 16, 1973; and that the instant application was filed pursuant to said letter.

The application asserts that the additional space is required to meet the increasing demands made upon applicant by the public for storage space at Vernon; that it presently serves 36 customers at this location, which is substantially the same number served in 1971; that its present facilities at Vernon are adequate to handle the sought increased floor space; and that it is fit and able and has the necessary experience and financial qualifications to perform the service in issue. Exhibit A attached to the application indicates that as of December 31, 1972, applicant's net worth was \$1,364,873.30.

A copy of the application was served upon the Los Angeles Warehousemen's Conference of California Trucking Association, and it was listed on the Commission's Daily Calendar. No objection to the granting of the application has been received.

After consideration the Commission finds that the proposed expansion would not be adverse to the public interest and would result in no significant impact on the environment. The Commission concludes that it should be authorized. A public hearing is not necessary.

Applicant is 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, these 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 USCO Services, 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 inform the Commission of such fact.
3. 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. 80981, which certificate is revoked effective concurrently with the effective date of the notice required by paragraph 2.b. hereof.
4. 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.

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

Dated at San Francisco, California, this 8th day of MAY, 1973.

Yveson L. Stevenson  
President  
William J. Squires Jr.  
Alfred A. [unclear]  
[unclear]  
Commissioners

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

## Appendix A

USCO SERVICES, INC.  
(a corporation)

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USCO Services, Inc., 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 Sq.Ft. of Floor Space</u>
Vernon	55,000
San Francisco	25,000
Santa Ana	100,000
South San Francisco	80,500

(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. 81356, Application No. 53850.