

ORIGINAL

Decision No. 83111

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application }
of RED LINE WAREHOUSES, INC. for }
an Increase in Rates. }

Application No. 54675
(Filed February 21, 1974)

OPINION AND ORDER

Decision No. 82800 issued April 30, 1974 in this proceeding granted Red Line Warehouses, Inc. ex parte authority to increase its storage rates and charges by 10 percent and directed that public hearings be held relative to the further sought increase of 8-1/2 percent.

The interim authority granted by Decision No. 82800 enabled applicant to offset labor cost increases incurred during the adjusted rate year ended December 31, 1973. Under the full sought increase applicant anticipates earnings which will reflect an operating ratio of 92.9 percent after taxes and a 6.6 percent rate of return.

The level of storage rates and charges which applicant seeks approximates the competitive storage rates and charges of other utility warehousemen operating in the same general area. The Commission's Transportation Division staff recommends that the full relief be granted by ex parte order.

Attached to the application as Exhibit C is a notice explaining in quite some detail the nature and reasons for the sought increase. This notice was mailed on February 5, 1974 to all storers of record and as of February 20, 1974 no objections to the sought increase were received. The application was listed on the Commission's Daily Calendar for February 22, 1974. No protests or requests for public hearing have been received.

The Commission finds that applicant's further sought relief, not previously authorized by Decision No. 82800, has now been shown to be justified and should be granted. It is concluded that Application No. 54675 should be granted to the extent not previously authorized in Decision No. 82800 in this proceeding. A public hearing is not required.

IT IS ORDERED that:

1. Red Line Warehouses, Inc. is authorized to increase its storage rates and charges as described in Application No. 54675 by 18-1/2 percent.
2. Application of the 10 percent interim surcharge authorized by Decision No. 82800, issued on April 30, 1974 in this proceeding, is canceled concurrently with the effective date of the increased storage rates and charges published pursuant to Ordering Paragraph 1 hereof.
3. Tariff publications authorized to be made by the order herein may be made effective not earlier than five days after the effective date of this order on not less than five days' notice to the Commission and to the public.

4. The authority granted by this order is subject to the express condition that applicant will never urge before this Commission in any proceeding under Section 734 of the Public Utilities Code, or in any other proceeding, that this opinion and order constitute a finding of fact of the reasonableness of any particular rate or charge. The filing of rates and charges pursuant to this order will be construed as a consent to this condition.

5. The authority granted herein shall expire unless exercised within sixty days after the effective date of this order.

6. The fifth ordering paragraph of Decision No. 82800 directing that a hearing be scheduled in Application No. 54675 is rescinded.

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

Dated at San Francisco, California, this 9th
day of JULY, 1974.

Vernon L. Stinson
President

William L. Quinn

Ala. M.

Edward
Commissioners

I dissent

W. L. Quinn, Commissioner