

Decision No. 83249**ORIGINAL**

## BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application )  
 of L. M. QUARTAROLI, GEORGE K. )  
 BEARD (aka G. K. BEARD), T. K. )  
 BEARD, ROBERT ELLEDGE (aka ROBERT )  
 R. ELLEDGE), PETER QUARTAROLI, )  
 CECIL T. JONES, B. MARTINSEN, AND )  
 WELLS FARGO BANK AMERICAN TRUST )  
 COMPANY, Executor Estate of RALPH )  
 J. QUARTAROLI (aka R. J. )  
 QUARTAROLI) deceased, doing )  
 business as copartners under the )  
 firm name and style of CENTRAL )  
 TERMINALS for an order authorizing )  
 them to sell and transfer their )  
 properties and operative rights as )  
 a public utility warehouseman; and )  
 of MODESTO TERMINALS, a California )  
 corporation, for an order autho- )  
 rizing it to purchase and acquire )  
 said properties and operative )  
 rights, and for an order autho- )  
 rizing it to issue shares of its )  
 capital stock. )

Application No. 42860

ORDER REVOKING WAREHOUSE OPERATIVE RIGHT

Modesto Terminals, a corporation, possesses a prescriptive operative right as a public utility warehouseman for the operation of storage or warehouse floor space at Modesto.

Mr. N. S. Fine, President of the above corporation, has informed the Commission by letter that the public warehouse operation was discontinued on December 31, 1973, due to financial difficulties and health problems. He states that the storage business had diminished and the revenue received from such operation was not enough to cover the rental cost. He alleges that the lease on the warehouse was lost on September 1, 1973, and the two remaining storers moved to a new location. He requests that the operative right be revoked.

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 determined by the Commission's order dated July 26, 1960, in Case No. 6668 and acquired by Modesto Terminals, a corporation, by Decision No. 61161 dated December 13, 1960, in Application No. 42860 is hereby revoked.

2. Jack L. Dawson, Agent, is hereby authorized and directed to cancel the participation of Modesto Terminals, a corporation, from the involved California Warehouse Tariff Bureau Tariffs on file with the Commission, such cancellation to be made within ninety days after the effective date of this order on not less than ten days' notice to the Commission and to the public.

The Secretary is directed to cause service of a certified copy of this order to be made upon Modesto Terminals 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 Jack L. Dawson, Agent.

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

Dated at San Francisco, California this *6<sup>th</sup>* day of August, 1974.

*Vernon L. Sturgeon*  
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President  
*William J. Lyons, Jr.*  
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*M. J. Miller*  
\_\_\_\_\_  
*Shirley*  
\_\_\_\_\_  
Commissioners

Commissioner D. W. Holmes, being necessarily absent, did not participate in the disposition of this proceeding.