

ORIGINAL

Decision No. 83356

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application )  
of )R. R. YOUNG, an individual, )  
and WESLEY YOUNG, individ- )  
uals doing business as R. )  
R. YOUNG AND SON, INC., a )  
California Corporation, )

Application No. 48110

to purchase ownership and pre- )  
scriptive operating rights to a )  
public warehouse in Stockton, )  
California, and the application )  
of R. R. YOUNG AND SON, INC. to )  
issue stock. )ORDER REVOKING WAREHOUSE OPERATIVE RIGHT

R. R. Young and Son, Inc., a corporation, possesses a pre-scriptive operative right as a public utility warehouseman for the operation of storage or warehouse floor space at Stockton.

The 1972 annual report of R. R. Young and Son, Inc., indicates that it received no revenue from public utility warehouse operations and did not dedicate any warehouse floor space to public utility storage at the aforementioned location. Annual report for the calendar year 1973 has not been filed with the Commission by the warehouseman as required by Section 584 of the Public Utilities Code.

By letters dated December 3, 1973, and January 15, 1974, the Secretary of the Commission inquired of R. R. Young and Son, Inc., concerning the status of its warehouse operation. Subsequently, by letter dated March 20, 1974, the Secretary of the Commission traced the warehouseman concerning the previous letters and informed it that, unless he heard from said warehouseman within

thirty days of the date of the last mentioned letter, the Commission would proceed to revoke the operative right for the nonexercise thereof. To date, no reply to any of these letters has been received.

R. R. Young and Son, Inc., not having filed an annual report for the year 1973 and not having replied to the Commission letters dated December 3, 1973, and January 15 and March 20, 1974, the Commission finds that such circumstances constitute good cause for revocation of the prescriptive operative right and cancellation of the tariffs applicable to the services thereunder.

IT IS ORDERED that:

1. The prescriptive operative right as a public utility warehouseman possessed by R. R. Young and Son, Inc., as stated in Decision No. 70186, dated January 11, 1966, in Application No. 48110 is hereby revoked.

2. Richard A. Bennett, Agent, is hereby authorized and directed to cancel the participation of R. R. Young and Son, Inc., from the involved tariffs of West Coast Warehouse Tariff Bureau on file with the Commission, such cancellation to be made within 90 days after the effective date of this order and 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 R. R. Young and Son, Inc., 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 Richard A. Bennett, Agent.

The effective date of this order shall be thirty days after the date hereof unless, before such effective date, there shall have been filed with the Commission written response to this order requesting public hearing in which event the effective date of this order shall be stayed until further order of the Commission.

A. 48110 - JW

Dated at San Francisco, California, this 27<sup>th</sup> day of  
August, 1974.

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

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