

Decision No. 83368**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application
 of ADAMS, SCHWAB & ADAMS WAREHOUSE
 CO, (DAVID S. ADAMS, D. O. ADAMS,
 W. W. ADAMS, ELIZABETH ADAMS McCLURE,
 MARGARET ADAMS DALLAM, NANCY ADAMS
 BLOOM, WILLIAM O. ADAMS, ELIZABETH
 ADAMS PEABODY and LORALEE S. ADAMS,
 dba), et al.

Application No. 52547

(Filed April 12, 1971;
 amended May 1, 1972).FINAL OPINION AND ORDER

Applicants in this proceeding are public utility warehousemen engaged in the operation of so-called "agricultural" warehouses located in central and northern California. In this application they seek authority to increase their rates and charges for the commodities stored by them and to make various changes in rules and regulations applicable to their services.

By Decision No. 78694 dated May 18, 1971 applicants were granted interim authority to increase their season storage rates on whole grain, viz: barley, oats, wheat, corn, and milo, in bulk. By Decision No. 78844 dated June 22, 1971 applicants were granted interim authority to increase their season storage rates for safflower, in bulk. Decision No. 81428 dated May 30, 1973 made final the interim authorities to increase rates on whole grain and safflower granted in Decisions Nos. 78694 and 78844.

Decision No. 80744 dated November 21, 1972 denied the request of applicants to increase their season storage rates on paddy rice without prejudice to further consideration of such request subsequent to the filing of rates for drying of paddy rice directed

to be filed with the Commission by that order. Rehearing of Decision No. 80744 was denied. A petition for a writ of review filed with the California Supreme Court (SF No. 23000) was denied on July 12, 1973. Decision No. 81663 dated July 31, 1973 reinstated the directive to applicants to file tariffs naming rates for the drying of paddy rice which was suspended during the pendency of the petition for writ of review. Tariffs naming rates for the drying of paddy rice were filed with this Commission pursuant to the foregoing directive. Applicants indicated that additional time was necessary following the filing of drying rates to develop evidence to support their request for increases in season storage rates on paddy rice.

A letter to the Commission dated July 10, 1974 from applicants' counsel states as follows:

"Exhibit A attached to the application filed April 12, 1971 herein contains the statement of the increases in rates requested by Applicants as well as certain changes in applicable rules and regulations governing those rates. In Decision No. 81428 dated May 30, 1973, the Commission issued its Order making final interim rate increases previously granted for the storage of grain in bulk and safflower in bulk. The only rate proposal of Applicants which is the subject of a protest is the proposal to increase rates on paddy rice in bulk as contained in Item 40 on Page 6 of the abovesaid Exhibit A. Certain increases in rates applicable to goods stored in sacks and to seed are also requested in the application. These proposed changes and the proposed changes in rules and regulations are inconsequential in their revenue impact. Applicants hereby respectfully request that their request for an increase in the rate applicable to paddy rice in bulk be dismissed and that the remainder of the changes in rates, rules and regulations contained in Exhibit A to the original application be authorized by ex parte Order of the Commission.

"We have been authorized to state that the Rice Growers Association of California, the only Protestant, consents to this request on behalf of Applicants."

Applicants' request set forth above appears reasonable and should be granted. The increases resulting from proposed rates on goods stored in sacks and from the revisions in rules proposed in the application are justified. Further public hearing in this proceeding is not necessary.

IT IS ORDERED that:

1. Applicants in Application No. 52547, as amended, are authorized to establish the increases in rates on seeds and on commodities stored in sacks and bags as proposed in Exhibit A to the application, and are also authorized to establish the revised rules and charges set forth in said Exhibit A. (No increase shall be made in the season storage rate for paddy rice, in bulk, set forth in Item 40 of said Exhibit A.)
2. Tariff filings authorized to be made as the result of this order may be made effective not less than five days after the effective date of this order on not less than five days' notice to the Commission and to the the public.
3. The authority herein granted shall expire unless exercised within one hundred twenty days after the date hereof.

4. To the extent not granted herein or heretofore granted in Decisions Nos. 78694, 78844, and 81428, Application No. 52547 is denied.

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

Dated at San Francisco, California, this 27th day of AUGUST, 1974.

William L. Shuman
President
William Symon Jr.
[Signature]
[Signature]
Commissioners

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