

Decision No. 84866**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the  
Application of

ACCURATE CARTAGE & WAREHOUSING,  
INC., a California corporation,  
to Transfer to, and of ALL  
CALIFORNIA DISTRIBUTION SYSTEMS,  
a California corporation, to  
Acquire, a Public Utility  
Warehouse Prescriptive Right  
and Operation at Los Angeles,  
California.

Application No. 55765  
(Filed June 23, 1975)

OPINION AND ORDER

Accurate Cartage & Warehousing, Inc., a California corporation, operates as a public utility warehouseman at Los Angeles pursuant to a certificate of public convenience and necessity granted by Decision No. 78415, dated March 9, 1971, in Application No. 52422. By this application it seeks authority to sell, and All California Distribution Systems, a California corporation, to purchase the aforementioned certificate.

According to the application, applicant purchaser has the financial resources, experience and personnel to conduct the warehouse services involved. The cash consideration is \$7,500.

A copy of the application was mailed to Los Angeles Warehouse Association. The application was listed on the Commission's Daily Calendar of June 25, 1975. No objection to the granting of the application has been received.

After consideration, the Commission finds that the proposed transfer would not be adverse to the public interest and, with reasonable certainty, the project involved in this proceeding would not have a significant effect on the environment. A public hearing is not necessary. The order which follows will provide for,

in the event the transfer is completed, revocation of the certificate held by Accurate Cartage & Warehousing, Inc., and the issuance of a certificate in Appendix form to All California Distribution Systems.

The authorization granted shall not be construed as a finding of the value of the right authorized to be transferred.

All California Distribution Systems 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, such rights extend to the holder a full or partial monopoly of a class of business. This monopoly feature may be modified or cancelled at any time by the State, which is not in any respect limited as to the number of rights which may be given.

IT IS ORDERED that:

1. On or before February 1, 1976, Accurate Cartage & Warehousing, Inc., a corporation, may sell and transfer the operative right referred to in the application to All California Distribution Systems, a corporation.

2. Within thirty days after the transfer, the purchaser shall file with the Commission written acceptance of the certificate and a true copy of the bill of sale or other instrument of transfer.

3. Purchaser shall amend or reissue the tariffs on file with the Commission, naming rates and rules governing the warehouse operations transferred to show that it has adopted or established as its own, such rates and rules. The tariff filings shall 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 the public, and the effective date of the tariff filings shall be concurrent with the transfer. The tariff filings made pursuant to this

order shall comply in all respects with the regulations governing the construction and filing of tariffs set forth in the Commission's General Order No. 61-Series. Failure to comply with the provisions of General Order No. 61-Series may result in a cancellation of the operating authority granted by this decision.

4. On or before the end of the third month after the transfer the purchaser shall cause to be filed with the Commission, in such form as the Commission may prescribe, an annual report, or reports, related to the operations of the seller for the period commencing with the first day of the current year to and including the effective date of the transfer.

5. In the event the transfer authorized in paragraph 1 is completed, effective concurrently with the effective date of the tariff filings required by paragraph 3, a certificate of public convenience and necessity is granted to All California Distribution Systems, a corporation, authorizing it to operate as public utility warehouseman, as defined in Section 239(b) of the Public Utilities Code, for the operation of storage or warehouse floor space set forth in Appendix A, attached hereto and made a part hereof.

6. The certificate of public convenience and necessity granted by Decision No. 78415 to Accurate Cartage & Warehousing, Inc., is revoked effective concurrently with the effective date of the tariff filings required by paragraph 3.

7. Purchaser shall maintain its accounting records in conformance with any applicable Uniform System of Accounts or Chart of Accounts as prescribed or adopted by this Commission and each year shall file with the Commission an annual report of its operations in such form, content and number of copies as the Commission, from time to time, shall prescribe.





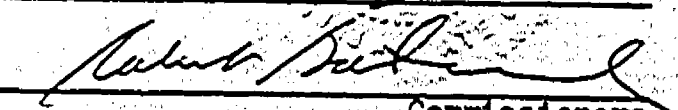
The Secretary is directed to cause service of certified copies of the order to be made upon Accurate Cartage & Warehousing, Inc., and All Distribution Systems or to mail certified copies

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thereof to them at their last known addresses as shown in the Commission's records and to mail a copy of this order to Western Motor Tariff Bureau, Inc.

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

Dated at San Francisco, California, this 3rd day of September, 1975.

  
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President  
  
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Commissioners

All California Distribution Systems, 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 Square<br/>Feet of Floor Space</u> |
|-----------------|---|
| Los Angeles     | 76,000  |

(The floor space shown above is exclusive of the expansion permissible under Section 1051 of the Public Utilities Code.)

(END OF APPENDIX A)

Issued by California Public Utilities Commission.

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