

Decision No. 85691**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application  
of UNITED STATES COLD STORAGE OF  
CALIFORNIA for an Increase in Rates. }

Application No. 56217  
(Filed January 21, 1976)

O P I N I O N

Applicant is a public utility warehouseman for the storage of commodities requiring refrigeration at Oakland and Sacramento. The rates charged by applicant for storage, handling, and other services incidental thereto, and rules and regulations governing the application of rates at Oakland are contained in California Warehouse Tariff Bureau Cold Storage Warehouse Tariff No. 18, Cal. P.U.C. No. 227 of Jack L. Dawson, Agent (Tariff No. 18).

Applicant requests authority to increase rates and charges, set forth in Tariff No. 18, for services at its Oakland warehouse, by 7 percent. No authority is sought to increase its rates at Sacramento. The requested rate increase has been determined by applicant without consultation or agreement with any other warehouseman. If the authority is granted the increased rates will be published in an individual tariff.

Applicant alleges that present rates are no longer compensatory due to increased costs of labor, power, taxes, and other operating costs and the requested increased rates are necessary to enable applicant to give efficient service to the public.

No objections to the requested increase have been received.

The Commission finds that:

1. The proposed increases have been shown to be justified.
2. A public hearing is not necessary.

The Commission concludes that the application should be granted. Since there are no protests and since the cold storage warehouse industry will be deregulated effective January 1, 1977 (S.B. 1319, Ch. 58, Stat. 1976) the Commission further concludes that the effective date of this order should be the date on which it is signed.

O R D E R

IT IS ORDERED that:

1. Applicant is authorized to establish the increased rates in Application No. 56217. Tariff publications authorized to be made as a result of this order shall be filed not earlier than the effective date of this order and may be made effective not earlier than ten days after the effective date of this order on not less than ten days' notice to the Commission and to the public.
2. The authority shall expire unless exercised within ninety days after the effective date of this order.
3. 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.

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 13<sup>th</sup>  
day of APRIL, 1976.

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President  
*William J. Lyons*  
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*Vernon L. Stinson*  
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*Robt. B. Balam*  
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Commissioners

-2- Commissioner D. W. Holmes, being necessarily absent, did not participate in the disposition of this proceeding.