

Decision No. 86095

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
Merchants Refrigerating Company of
California for an Increase in Rates.

} Application No. 56442
(Filed April 28, 1976)

O P I N I O N

Applicant is a public utility warehouseman for the storage of commodities requiring refrigeration at Modesto and Salinas.

The rates charged by applicant for storage, handling, and other services incidental thereto, and the rules and regulations governing the application of rates at Modesto and Salinas are contained in the following tariffs: Merchants Refrigerating Company of California Cold Storage Warehouse Tariffs Nos. 1, Cal. P.U.C. No. 1 (Modesto), and 2, Cal. P.U.C. No. 2 (Salinas); California Warehouse Tariff Bureau Cold Storage Warehouse Tariff No. 12, Cal. P.U.C. No. 87; and California Warehouse Tariff Bureau Precooling Warehouse Tariff No. 21, Cal. P.U.C. No. 230, Index (1) 32.

Applicant requests authority to increase rates and charges for handling and freezing by 15 percent and to increase other specific rates as set forth in Exhibit A attached to the application. The requested rate increase has been determined by applicant without consultation or agreement with any other warehousemen.

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

Notice of the proposed increase was sent to each of applicant's storers. None of the storers has registered any objection to the proposed increase.

Findings

1. The proposed increase has 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. 56442. 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 13th
day of JULY, 1976.

President
William J. Quinn

Vernon L. Sturgeon

Leonard H. Hays

Robert B. Baker
Commissioners