

Decision No. 86226**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
PACIFIC COLD STORAGE INC. for an)
Increase in Rates. }

Application No. 56511
(Filed May 28, 1976)

O P I N I O N

Applicant is a public utility warehouseman for the storage of commodities requiring refrigeration at Vernon.

The rates charged by applicant for storage, handling, and other services incidental thereto, and the rules and regulations governing the application of rates at Vernon are contained in the following tariffs:

California Warehouse Tariff Bureau Cold Storage Warehouse
Tariff No. 2-I, Cal. P.U.C. No. 268 (CWTB Tariff 2-I);

Pacific Cold Storage Inc., dba Federal Cold Storage,
Cold Storage Warehouse Tariff No. 4, Cal. P.U.C. No. 4;

Pacific Cold Storage Inc. Cold Storage Warehouse Tariff
No. 5, Cal. P.U.C. No. 5; and

Pacific Cold Storage Inc. Cold Storage Warehouse Tariff
No. 6, Cal. P.U.C. No. 6.

Applicant requests authority to increase rates and charges set forth in CWTB Tariff 2-I by 4 percent. No increase is requested for rates set forth in the other three tariffs listed above. The requested rate increase has been determined by applicant without consultation or agreement with any other warehousemen. If the authority is granted the increased rates will be published in a separate surcharge tariff.

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 have registered any objection to the proposed increases.

Findings

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. 56511. 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 10th
day of AUGUST, 1976.

President
William J. ...

...

Commissioners

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

Commissioner Robert Batinevich, being necessarily absent, did not participate in the disposition of this proceeding.