

Decision No. 86354**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
 UNITED COLD STORAGE for an Increase
 in Rates.

) Application No. 56590
) (Filed July 1, 1976)
)

O P I N I O N

Applicant is a public utility warehouseman for the storage of commodities requiring refrigeration at South San Francisco.

The rates charged by applicant for storage, handling, and other services incidental thereto, and the rules and regulations governing the application of rates at South San Francisco are contained in California Warehouse Tariff Bureau Cold Storage Warehouse Tariff No. 18, Cal. P.U.C. No. 227 of Jack L. Dawson, Agent.

Applicant requests authority to increase rates and charges as follows:

1. To establish a minimum charge of \$4 for storage, handling, and quick-freezing services;
2. To increase hourly rates for special labor to \$13 per man hour straight time, and \$18 per man hour overtime;
3. To establish the following cubic foot rates for prepared or precooked frozen foods:

	<u>Quick Freezing</u>	<u>Hand- ling</u>	<u>Storage</u>
Lot, less than 5,000 lbs. per cu.-ft.	15¢	12¢	14¢
Lot, 5,000 to 20,000 lbs. per cu.-ft.	14	10	12
Lot, 20,000 lbs. or more. per cu.-ft.	13	8	10

4. To increase all other cold storage rates and charges by 8 percent.

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 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. 56590. 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 1st
day of SEPTEMBER, 1976.

[Signature] President
William J. [Signature]
Vernon L. [Signature]
[Signature] Commissioners

Commissioner Leonard Ross, being necessarily absent, did not participate in the disposition of this proceeding.