

89372 SEP 6 1978

ORIGINAL

Decision No. _____

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of KIN-WOOD WAREHOUSE SERVICES OF)
CALIFORNIA, INC., a corporation,)
to relocate its public warehouse-)
man operations from Santa Fe)
Springs, California to Cerritos,)
California; and cease operations)
at Santa Fe Springs, California.)

Application No. 58249
(Filed July 21, 1978)

OPINION AND ORDER

Kin-Wood Warehouse Services of California, Inc. a corporation, possesses a certificate of public convenience and necessity as a public utility warehouseman for the operation of storage or warehouse floor space at Santa Fe Springs. By this application, it seeks authority to transfer its public utility warehouse operations from Santa Fe Springs to Cerritos.

Applicant is presently occupying the new facilities at Cerritos. It claims that through inadvertence and oversight, it did not file an application with this Commission for the necessary authority to relocate its facilities.

Applicant states that the move was necessary because the warehouse facilities at Santa Fe Springs were inadequate and not geared to modern operations.

Applicant has the financial resources, experience, facilities and personnel to conduct the warehouse service involved.

A copy of the application was mailed to Los Angeles Warehousemen's Conference on or about July 20, 1978. The application was listed on the Commission's Daily Calendar of July 25, 1978. No objection to the granting of the application was received.

In the circumstances, the Commission finds that:

1. Public convenience and necessity no longer require applicant's operations as a public utility warehouseman in Santa Fe Springs.
2. Public convenience and necessity require additional warehouse facilities at Cerritos.
3. The proposed transfer would not be adverse to the public interest.
4. It can be seen with reasonable certainty that there is no possibility that the proposed activity will have a significant effect on the environment.
5. A public hearing is not necessary.
6. The order which follows will provide for revocation of the present certificate held by applicant and the issuance in its place of a new certificate in appendix form.

The Commission concludes that the application should be granted.

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

Kin-Wood Warehouse Services of California, Inc. 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. A certificate of public convenience and necessity is granted to Kin-Wood Warehouse Services of California, Inc., a corporation, authorizing it 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 set forth in Appendix A, attached hereto and made a part hereof.

2. In providing service pursuant to the authority granted by this order, applicant shall comply with the following service regulations. Failure to do so may result in a cancellation of the authority.

- (a) Within thirty days after the effective date of this order, applicant shall file a written acceptance of the certificate granted. Applicant is placed on notice that if it accepts the certificate it will be required, among other things, to file annual reports of its operations.
- (b) Within one hundred and twenty days after the effective date of this order, applicant shall establish the authorized service, and file tariffs, in triplicate, in the Commission's office.
- (c) 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 establishment of the service authorized.
- (d) The tariff filings made pursuant to this order shall comply with the regulations governing the construction and filing of tariffs set forth in the Commission's General Order 61-Series.

- (e) Applicant shall maintain its accounting records on a calendar year basis in conformance with the applicable Uniform Systems of Accounts or Chart of Accounts as prescribed or adopted by this Commission and shall file with the Commission, on or before April 30 of each year, an annual report of its operations in such form, content and number of copies as the Commission, from time to time, shall prescribe.

3. The certificate of public convenience and necessity granted by Decision 86131 is revoked effective concurrently with the effective date of the tariff filings required by paragraph 2(b).

4. Applicant shall, at the direction of the owner of any property in storage at the former location, transport such property to the new facility of applicant or any available public utility warehouse in the vicinity of the former location at the expense of applicant and at no expense or risk to the owner of the property transported.

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

Dated at San Francisco, California, this 6th day of SEPTEMBER, 1978.

Robert Batianich
President
William J. Quinn
Vermon L. Stapp
Clarence D. Noble

Commissioners

Commissioner Claire T. Dodrick, being necessarily absent, did not participate in the disposition of this proceeding.

Kin-Wood Warehouse of California, Inc. 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 Feet of Floor Space</u>
Cerritos	175,500

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

(END OF APPENDIX A)

Issued by California Public Utilities Commission.

Decision No. 89372, Application 58249.