

Decision No. 89431 SEP 19 1978

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of USCO SERVICES, INC., a corpora-)
tion:)

(a) To relocate its public ware-)
houseman operations from Santa)
Ana, California to Commerce,)
California; and cease operations)
at Santa Ana, California; and)

Application No. 58241
(Filed July 18, 1978)

(b) To extend or increase storage)
or warehouse floor space at Com-)
merce, California from 100,000)
square feet to 200,000 square feet,)
pursuant to Section 1051 of the)
California Public Utilities Code.)

OPINION AND ORDER

USCO Services, 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 Vernon, San Francisco, South San Francisco and Santa Ana. By this application, it seeks authority to transfer its public utility warehouse operations from Santa Ana to City of Commerce and to increase its storage or warehouse floor space at City of Commerce from 100,000 to 200,000 square feet.

Applicant states that the building in Santa Ana where it now conducts warehouse operations has been sold and applicant is being forced to move. Applicant is now experiencing growing and continued demands from its customers to increase its storage and warehouse space. Applicant has found new warehouse space in the City of Commerce, and proposes to relocate and increase its authorized storage space.

Applicant has demonstrated that it has the experience and financial ability to qualify for the expanded authority. According to applicant, none of its storers in Santa Ana have any objection to the relocation, and applicant states it will move any property in storage at the time of relocation at its own expense.

Applicant asserts that no public utility warehouse will be adversely affected by the granting of this application for relocation and additional space.

A copy of the application was forwarded to the Los Angeles Warehousemen's Conference. The application was listed on the Commission's Daily Calendar of July 24, 1978. No objection to the granting of the application has been 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 Ana.
2. The proposed transfer would not be adverse to the public interest.
3. Public convenience and necessity require the services of applicant as a public utility warehouseman in 200,000 square feet of space at City of Commerce.
4. It can be seen with reasonable certainty that the activity in question will not 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 of a new certificate in appendix form.

The Commission concludes that the application should be granted.

USCO Services, 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 USCO Services, 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 regulations. Failure to do so may result in 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 authorized service.
- (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 System 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. Applicant shall, at the direction of the owner of any property in storage at the Santa Ana location, transport such property to the new facility or any available public utility warehouse in the vicinity of the Santa Ana location at the expense of applicant and at no expense or risk to the owner of the property transported.

4. The certificate of public convenience and necessity granted in Paragraph 1 of this order shall supersede the certificate of public convenience and necessity granted by Decision 87447, which certificate is revoked effective concurrently with the effective date of the tariff filings required by Paragraph 2(b) above.

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

Dated at San Francisco, California, this 19th day of SEPTEMBER, 1978.

President
William Lyons Jr.

Veron L. Sturgeon

Charles D. Howell

Clair T. DeBriq
Commissioners

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

USCO Services, 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>
Vernon	55,000
San Francisco	100,000
South San Francisco	80,500
City of Commerce	200,000

(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 89431, Application 58241.