

ORIGINAL

Decision No. 91924 JUN 17 1980

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
USCO SERVICES, INC., a corporation,
to relocate its public warehouseman
operations from South San Francisco,
California, to San Leandro,
California, and cease operations
at South San Francisco, California.

Application No. 59634
(Filed May 2, 1980)

O P I N I O N

USCO Services, Inc., a Delaware corporation, is presently operating as a public utility warehouseman in San Francisco, South San Francisco, Santa Ana, and Vernon, California. By this application USCO seeks authority to transfer its public utility warehouse operations now conducted in South San Francisco to San Leandro. Applicant's certificated warehouse operations in South San Francisco utilize 80,500 square feet of floor space.

Applicant states that it has outgrown its warehouse in South San Francisco both as to size and available facilities. It is explained that USCO intends to occupy 105,000 square feet at its new San Leandro location initially. However, since an additional 79,000 square feet is also available at this time, it is requested that the authorized storage space be increased to 200,000 square feet. We have been informed by applicant that none of its storers in South San Francisco have any objection to the relocation, and applicant further states it will move any property in storage at the time of relocation at its own expense.

Applicant asserts that no other public utility warehouse will be adversely affected by the sought relocation and increase in available storage space. Applicant further represents that the granting of this application will have no significant effect upon the quality of the human environment.

A copy of Application No. 59634 was forwarded to the Los Angeles Warehousemen's Conference c/o California Trucking Association. The application was listed on the Commission's Daily Calendar of May 7, 1980. No protests to the granting of the application have 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 the city of South San Francisco.

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 San Leandro.

4. It can be seen with certainty that there is no possibility that the project in question may have a significant effect upon the environment.

5. 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. A public hearing is not necessary.

Applicant 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 canceled at any time by the State, which is not in any respect limited as to the number of rights which may be given.

O R D E R

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 as set forth in Appendix A of this decision.

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 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 No. 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 city of South San Francisco location, transport such property to the new facility or any available public utility warehouse in the vicinity of the city of South San Francisco 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 No. 90810 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 JUN 17 1980, at San Francisco, California.

John E. Guyon
President
Veronica L. Sturgeon

Alvin J. ...
Arnold ...
Commissioners

Commissioner Richard D. Gravello, 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>
San Francisco	100,000
Santa Ana	200,000
San Leandro	200,000
Vernon	55,000

(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 No. 91924, Application No. 59634.