

Decision No. 28508

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of MOTOR SERVICE EXPRESS, a corporation, and BORDERLAND EXPRESS, INC., a corporation, sellers, and COAST TRUCK LINE, a corporation, purchaser, for an order of the Railroad Commission of the State of California, authorizing the sellers to sell and transfer to the purchaser the operating rights, property and businesses described in this application.

Supplemental
Application No. 18977.

ORIGINAL

BY THE COMMISSION:

FIRST SUPPLEMENTAL OPINION

In this supplemental application Southern California Freight Lines, a corporation, formerly known as Coast Truck Line, a corporation, petitions ^{and alleges} that at the time of the filing of the original application herein asking for authority to transfer the operating rights of Motor Service Express, a corporation, to Coast Truck Line, Motor Service Express was the owner of operating rights created by Decision No. 17586, dated November 10, 1926 and Decision No. 17712 dated December 3, 1926 both issued pursuant to Applications No. 11820 and No. 11928.

Applicant alleges that through an inadvertence and oversight on its part the above named decisions were omitted from the original application for transfer which oversight has just been discovered and further alleges that service has at all times been rendered by it to the points involved.

Applicant herein now petitions the Commission for a supplemental order providing for the transfer of the above

named decisions to petitioner.

An examination of the original application and agreement of transfer attached thereto shows that the intent was to transfer all of the assets including the certificates of public convenience and necessity at that time held by Motor Service Express.

No public hearing is necessary in this matter and the supplemental order will be issued.

FIRST SUPPLEMENTAL ORDER

Good cause appearing,

IT IS HEREBY ORDERED that Motor Service Express, a corporation, be, and it hereby is, authorized to transfer, and Southern California Freight Lines be, and it hereby is, authorized to acquire the operating rights created by Decision No. 17586 dated October 11, 1926 and Decision No. 17712, dated December 3, 1926, subject to the following conditions:

1. The rights and privileges herein authorized to be transferred may not hereafter be sold, transferred, leased nor assigned, nor service thereunder discontinued, unless the written consent of the Railroad Commission to such sale, transfer, lease or assignment has first been secured.
2. No vehicle may be operated by Southern California Freight Lines under the authority herein granted, unless such vehicle is owned by Southern California Freight Lines or is leased by it under a contract or agreement on a basis satisfactory to the Railroad Commission.

Dated at San Francisco, California, this 20th day of January 1936.

M B Harris
John A. Sullivan
W. A. King
W. A. King
Frederick W. Dewey
COMMISSIONERS.