

Decision No. 23304

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
CANTLAY & TANZOLA, INC.,
to purchase and acquire shares of
the capital stock of Western Truck
Lines, Ltd.

Application No. 23304

BY THE COMMISSION:

O P I N I O N

ORIGINAL

This is an application for an order authorizing Cantlay & Tanzola, Inc. to purchase 520 shares of the outstanding common capital stock of Western Truck Lines, Ltd.

Cantlay & Tanzola, Inc. and Western Truck Lines, Ltd. are corporations engaged as highway common carriers in operating trucks for the transportation of property under certificates of public convenience and necessity granted by this Commission. Cantlay & Tanzola, Inc. has operative rights permitting the transportation of livestock generally throughout the state, while Western Truck Lines, Ltd., among other things, has operative rights for the transportation of property, not restricted to livestock, running between Los Angeles and the harbor district, Los Angeles and Lone Pine and Keeler and Los Angeles and points outside the state. For the calendar year 1939 Cantlay & Tanzola, Inc. reports operating revenues of \$693,333.47, other income at \$21,202.13 and net income, after deducting operating and other expenses, at \$25,786.91. Western Truck Lines, Ltd. reports operating revenues at \$492,460.58, other income at \$311.58 and net income at \$11,521.62.

In 1931, pursuant to authority granted by the Commission by Decision No. 24066, dated September 26, 1931, Western Truck Lines, Ltd. issued 1642 shares of its no par value common stock, at \$25 a share, in part payment for operative rights and properties acquired from Robert V. Hardie. It appears that thereafter 822 shares, of said 1642 shares,

were acquired by Richard Cantlay and Joseph Tanzola, as individuals, leaving 820 shares in the possession of Robert V. Hardie. It might be added that Richard Cantlay and Joseph Tanzola are the reported owners of 1998 shares of the outstanding 2000 shares of stock (\$200,000 par value) of Cantlay & Tanzola, Inc.

The present application shows that Robert V. Hardie has agreed to sell to Cantlay & Tanzola, Inc. the remaining 820 shares of stock of Western Truck Lines, Ltd. held by him, for the sum of \$45,255.21. The price, it appears, was arrived at by negotiation between the parties. The Commission has considered this matter. In its opinion it is not necessary, for the purpose of this proceeding, to make any determination of the value of the stock or properties of Western Truck Lines, Ltd. Accordingly, the authorization herein granted should not be considered as an acceptance by the Commission of the agreed transfer price as a measure of value of said stock or properties if such price becomes involved in future proceedings.

ORDER

Cantlay & Tanzola, Inc. having applied to the Railroad Commission for an order authorizing it to purchase and acquire 820 shares of the capital stock of Western Truck Lines, Ltd., and the Commission having considered the application and being of the opinion that a public hearing is not necessary in this matter and that the application should be granted, therefore,

IT IS HEREBY ORDERED that Cantlay & Tanzola, Inc. be, and it hereby is, authorized to purchase and to hold, from and after the date hereof, 820 shares of the no par value outstanding common capital stock of Western Truck Lines, Ltd.

DATED at Los Angeles, California, this 26th day of March, 1940.

Ray S. Ciley
Joseph D. Miller
Robert V. Hardie
John A. ...
Justus J. ...
COMMISSIONERS