

Decision No. 23483.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of R.H. RASMUSSEN for an order)
authorizing him to transfer to)
Santa Fe Express and Drayage)
Company, a corporation, the)
warehouse business and right)
herein described.)

Application No. 23483

ORIGINAL

BY THE COMMISSION:

OPINION AND ORDER

R.H. Rasmussen, as surviving partner of the copartnership of R.H. Rasmussen and J.V. Svane, doing business as Santa Fe Express and Drayage Company, seeks authority to transfer, and the Santa Fe Express and Drayage Company, a corporation, seeks authority to acquire, a public utility warehouse business in the City of Oakland.

The operative right held by the copartnership of R.H. Rasmussen and J.V. Svane was acquired by virtue of operations conducted prior to the enactment of Section 50½ of the Public Utilities Act, which became effective August 2, 1927. Rasmussen and Svane later caused the incorporation of applicant Santa Fe Express and Drayage Company for the purpose of transferring to it their warehousing operations. Thereafter, the business was operated by the corporation, although authority to make the transfer was not obtained from this Commission pursuant to the requirements of Section 51(a) of the Public Utilities Act. Applicants state that their failure to secure authorization for the transfer was due to inadvertence, and ask that such authorization now be given.

It appears that this is not a matter in which a public hearing is necessary and that the application should be granted; therefore,

IT IS HEREBY ORDERED that applicant R.H. Rasmussen, as surviving partner of the copartnership of R.H. Rasmussen and J.V. Svane, be and he is hereby authorized to transfer and applicant Santa Fe

Express and Drayage Company, a corporation, be and it is hereby authorized to acquire the public utility warehouse business in the City of Oakland previously operated by said copartnership, subject to the following conditions:

1. Applicant R.H. Rasmussen shall within thirty (30) days from the date of this order unite with applicant Santa Fe Express and Drayage Company in a common supplement to the tariff now on file with the Commission in the name of Santa Fe Express and Drayage Company, covering service performed under the operative right herein authorized to be transferred, applicant R.H. Rasmussen withdrawing and applicant Santa Fe Express and Drayage Company, a corporation, accepting and establishing such tariff as its own.

2. The rights and privileges herein authorized to be transferred may not be again sold, leased, transferred or assigned, nor service thereunder discontinued, unless the written consent of this Commission to such sale, lease, transfer, assignment or discontinuance shall first be obtained.

This order shall become effective on the date hereof.

Dated at San Francisco, California, this 11th day of June, 1940.

Ray & Rice
Grant D. Webb
Roy Swabey
H. B. Baker
Justice J. Cramer
Commissioners