

Decision No. 33696

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of

MCCORMICK STEAMSHIP COMPANY,
(heretofore designated as "The
McCormick Steamship Company"), a
California corporation, to transfer,
assign and set over, and

The Application of

POPE & TALBOT, INC.,
a California corporation, to acquire
operative rights, privileges and
franchises as a common carrier and
as an operator of public utility
properties.

ORIGINAL

Application No. 23822

BY THE COMMISSION:

OPINION AND ORDER

McCormick Steamship Company, heretofore designated as The McCormick Steamship Company, a corporation, engaged in the operation of vessels for the transportation of property between points in the State of California, and elsewhere, has applied to the Railroad Commission for an order authorizing it to transfer its operative rights to Pope & Talbot, Inc.

It is reported in the application that all of the outstanding stock of McCormick Steamship Company is owned by Pope & Talbot, Inc., and that since the passage of the Federal Transportation Act of 1940, it has been considered necessary and desirable to vest ownership of the operative rights of McCormick Steamship Company in Pope & Talbot, Inc., with the result that the latter company will be enabled to carry on all its operations, both common carrier and non-carrier, directly on its own behalf

rather than through a subsidiary corporation.

McCormick Steamship Company, formerly known as The McCormick Steamship Company, has tariffs on file with the Railroad Commission naming rates for transportation between points in California and also carloading and unloading rates and terminal and other allowances and privileges. It is the desire and intention of Pope & Talbot, Inc. to adopt and establish, as its own, the tariffs on file in the name of the transferor and to transact business at the same place, with the same employees and in the same manner as now transacted by McCormick Steamship Company. In this connection, it is proposed by the transferee to have its tariff filings refer to it as "Pope & Talbot, Inc. (McCormick Steamship Company Division)" in order to retain the use of the name of the present operator. We will, of course, look to Pope & Talbot, Inc. for annual and such other reports as public utilities are required to file with us under the provisions of the Public Utilities Act.

The Commission has considered applicant's request and is of the opinion that this is not a matter in which a public hearing is necessary and that the application should be granted, as herein provided, therefore,

IT IS HEREBY ORDERED that McCormick Steamship Company, formerly known as The McCormick Steamship Company be, and it hereby is, authorized to transfer, on or before December 31, 1940, such intrastate and carloading operative rights as it may have, to Pope & Talbot, Inc.

IT IS HEREBY FURTHER ORDERED that McCormick Steamship Company, formerly known as The McCormick Steamship Company, and Pope & Talbot, Inc. shall join in common supplement to the tariffs now on file for said McCormick Steamship Company, in which common supplement said McCormick Steamship Company shall with-

draw from and Pope & Talbot, Inc. shall adopt and establish as its own, such tariffs and all effective supplements thereto, provided that said Pope & Talbot, Inc. may join in said common supplement, and file its tariffs, and supplements thereto, as "Pope & Talbot, Inc. (McCormick Steamship Company Division.)"

IT IS HEREBY FURTHER ORDERED that the authority herein granted shall become effective upon the date hereof.

Dated at San Francisco, California, this 2nd day of December, 1940.

Ray & Peery
Grand Juror
Albert
Justus J. Caseman
Commissioners