

ORIGINAL

Decision No. 23955

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
 CESARE PELLEGRINI, EUGENIO RUGANI, )  
 VINCENZO LENCIONI to sell and EUGENIO )  
 RUGANI and PAUL PERA to purchase the ) Application No. 23955  
 entire interest in an automobile freight )  
 line operated between Tunitas, Montara )  
 and San Francisco and Colma, and serving )  
 intermediate points, California. )

BY THE COMMISSION:

O P I N I O N

By the above entitled joint application Cesare Pellegrini, Eugenio Rugani and Vincenzo Lencioni request authority to sell and transfer their certificated highway common carrier right between Tunitas, Montara, San Francisco, Colma and certain intermediate points, together with the equipment used in conducting operations thereunder, to Eugenio Rugani and Paul Pera.

The operative right involved in this proceeding was granted by Decision No. 17797 in Application No. 11275 which granted C. Pellegrini a certificate between the points above mentioned. Subsequently, by Decision No. 28350 in Application No. 20187, the Commission permitted Pellegrini to sell and transfer an undivided one-third interest in such certificated right and in the equipment he operated in connection therewith, to E. Rugani and V. Lencioni. These three men formed a partnership which did business as C. Pellegrini and Company.

It appears that E. Rugani has been connected with C. Pellegrini and Company for sixteen years. The application shows

that he and Paul Pera have formed a partnership and, if this application is granted, intend to purchase the entire interest of C. Pellegrini and V. Lencioni in the business of C. Pellegrini and Company for the sum of \$5,500 in accordance with the terms of an agreement attached to the application and marked Exhibit "A."

The affidavit of E. Rugani filed in this proceeding shows that C. Pellegrini and Company has been operating at least two trucks a day for the past two years and three trucks during the busy season.

Full consideration has been given to this matter. The Commission is of the opinion that a public hearing is unnecessary and that public convenience and necessity require that this application be granted.

O R D E R

Based upon this application and the evidence pertaining thereto,

IT IS ORDERED as follows:

(1) That C. Pellegrini, E. Rugani and V. Lencioni are authorized to transfer the highway common carrier certificate granted to them by Decision No. 28350 and the equipment used in conducting business thereunder to E. Rugani and Paul Pera and the latter are granted the right to operate a highway common carrier service commensurate therewith.

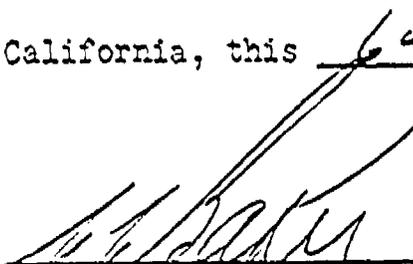
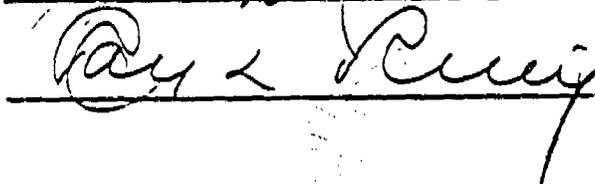
(2) That C. Pellegrini, E. Rugani, V. Lencioni and Paul Pera comply with Rule 9 of General Order No. 80 by filing in triplicate within sixty (60) days from the effective date of this

order and upon not less than five (5) days' notice to the Commission, a withdrawal and adoption notice as required by said general order.

(3) That E. Rugani and Paul Pera comply with Part IV of General Order No. 93-A within sixty (60) days from the effective date of this order and upon not less than five (5) days' notice to the Commission and the public.

The effective date of this order shall be the date hereof.

Dated at San Francisco, California, this 6<sup>th</sup> day of May, 1941.

  
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COMMISSIONERS