

Decision No. 34243

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application
of

EDWARD MALDE, doing business as A.
B. C. Transfer & Storage Co.,
SELLER, and A. B. C. TRANSFER &
STORAGE CO., INC., a corporation,
BUYER, for an order of the Railroad
Commission authorizing the sale of
the operative rights and properties
herein described and authorizing
A. B. C. Transfer & Storage Co., Inc.
to issue shares of its capital stock.

ORIGINAL

Application
No. 24163

BY THE COMMISSION:

OPINION AND ORDER

In this application, the Railroad Commission is asked to enter its order authorizing Edward Malde to transfer properties to A-B-C Transfer & Storage Co., Inc., and authorizing A-B-C Transfer & Storage Co., Inc. to issue 200 shares of common stock of the aggregate par value of \$20,000.

The application sets forth that Edward Malde, operating under the firm name and style of A-B-C Transfer & Storage Co., is engaged in business as a common carrier by motor vehicle of general commodities in interstate and foreign commerce, as authorized by the Interstate Commerce Commission; as a contract carrier for the United States Government and its

agencies of supplies, furniture, household goods and personal effects in interstate and foreign commerce, as authorized by the Interstate Commerce Commission; as a city carrier; highway contract carrier and radial highway common carrier in intrastate commerce under permits issued by the Railroad Commission; and as a public warehouseman in the City and County of San Francisco.

Applicant's public utility warehouse business is conducted in leased premises. Such operations contribute but a small part to his total revenues. For 1940, for example, he reports warehouse operating revenues of \$3,716.18 and total revenues of \$142,870.96. The book value of applicant's warehouse equipment is reported at \$785.82 and the book value of all its equipment at \$18,672.06.

As of March 31, 1941, Edward Malde reports his assets and liabilities as follows:

<u>Assets</u>		
Trucks and equipment:		
Auto equipment	\$13,993.26	
Shop equipment	1,168.39	
Warehouse equipment	785.82	
Office equipment	1,594.59	
Tires and parts	<u>1,130.00</u>	\$18,672.06
Current assets:		
Cash on hand and in bank	8,112.99	
Accounts receivable	<u>21,054.89</u>	<u>29,167.88</u>
Total		<u>\$47,839.94</u>
<u>Liabilities and Surplus</u>		
Current liabilities:		
Notes and accounts payable	\$ 9,730.34	
Accrued taxes	<u>1,870.27</u>	\$11,600.61
Surplus		<u>36,239.33</u>
Total		<u>\$47,839.94</u>

It appears from the application that Edward Malde desires to dispose of his properties and business and to that end has made arrangements for the transfer of the same to a corporation he has caused to be organized, namely, A-B-C Transfer & Storage Co., Inc., in exchange for \$20,000 par value of common stock, and, thereafter, for the sale of said stock for \$20,000 to Joseph Robertson. A copy of the agreement between Edward Malde and Joseph Robertson, dated February 19, 1941, has been filed in the proceeding as Exhibit "B."

The Commission has considered this matter and is of the opinion that a public hearing is not necessary, that the application should be granted, as herein provided, and that the money, property or labor to be procured or paid for through the issue of the stock is reasonably required for the purpose specified herein, which purpose is not, in whole or in part, reasonably chargeable to operating expenses or to income, therefore

IT IS HEREBY ORDERED as follows:

1. Edward Malde, after the effective date hereof and on or before December 31, 1941, may transfer his public utility properties to A-B-C Transfer & Storage Co., Inc.
2. A-B-C Transfer & Storage Co., Inc., after the effective date hereof and on or before December 31, 1941, may issue 200 shares of its common stock of the aggregate par value of \$20,000 in payment for the properties of Edward Malde, doing business under the firm name and style of A-B-C Transfer & Storage Co.
3. The authority herein granted is given only insofar as this Commission has jurisdiction under the Public Util-

ities Act and is not intended as an approval of the transfer of the rights and properties of Edward Malde as to such other legal requirements to which such transfer may be subject.

4. Immediately upon the transfer of the public utility warehouse business and properties under the authority herein granted, applicants shall join in common supplement, to be filed in triplicate, to the tariffs now on file with the Commission in the name of Edward Malde, said Edward Malde, on the one hand, withdrawing from, and A-B-C Transfer & Storage Co., Inc., on the other hand, adopting and establishing as its own such tariffs and all effective supplements thereto.

5. Within thirty (30) days after the issue of the stock herein authorized A-B-C Transfer & Storage Co., Inc. shall file a report thereof as required by the Commission's General Order No. 24-A, which order insofar as applicable is made a part of this order.

6. The authority herein granted shall become effective twenty (20) days from the date hereof.

Dated at San Francisco, California, this 27th day of May, 1941.

[Signature]

Justin J. Caswell
Francis R. Harwood
Richard L. [Signature]
Commissioners.