

ORIGINAL

Decision No. 36745

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
John P. Oberto and Frank Borges, a )  
copartnership, to sell and Frank )  
Foppiano to buy, right to operate ) Application No. 25835  
vessels as a common carrier of per- )  
sons and property on the inland )  
waters of the State of California. )

BY THE COMMISSION:

OPINION AND ORDER

This application concerns the common carrier operative right to transport persons and property by vessel between San Francisco and vessels in the stream which is held by John P. Oberto and Frank Borges, copartners.<sup>1</sup> Initially, it was proposed that this right be transferred from the copartners to Frank Foppiano. Subsequently, however, applicants requested that it be revoked. They assert that demand for the services in question has virtually disappeared and that the equipment and facilities of other carriers are ample to meet all present and prospective service requirements.

Under the circumstances, it appears that a public hearing is not necessary, that the operative right in question should be revoked, and that tariffs naming rates for the services involved should be canceled.

Therefore, good cause appearing,

IT IS HEREBY ORDERED that the common carrier operative right of John P. Oberto and Frank Borges, copartners, to transport

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<sup>1</sup> They acquired this right pursuant to the authorization contained in Decision No. 36484 of July 13, 1943, in Application No. 25656.

persons and property by vessel between points on San Francisco Bay, acquired by virtue of the authority contained in Decision No. 36484 of July 13, 1943, in Application No. 25656, be and it is hereby revoked and annulled; and that the tariffs of the aforesaid copartners on file with the Commission be and they are hereby canceled.

This order shall become effective twenty (20) days from the date hereof.

Dated at San Francisco, California, this 7<sup>th</sup> day of December, 1943.

Francis R. Havens

Justin F. Casper  
Francis R. Havens  
Francis R. Havens  
Commissioners.