

Decision No. 40168

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

ORIGINAL

In the Matter of the Application of)
HENRY NICKOLS dba (Nickols Transporta-)
tion Co) to sell and transfer his)
operative properties and rights to a)
partnership composed of JOHN A. PETERSON,)
ELLEN PETERSON, ARTHUR PETERSON and)
LLOYD W. VIVELL.)

Application
No. 27946

FIRST SUPPLEMENTAL ORDER

The Commission by its order in Decision No. 39761, dated December 23, 1946, authorized Henry Nickols to sell and transfer, on or before March 1, 1947, his intrastate operative rights described in Decision Nos. 30483 and 30663, and his properties used in connection therewith, which properties are described in Exhibit 2 attached to Exhibit "A", filed in this application, to John A. Peterson, Ellen Peterson, Arthur R. Peterson and Lloyd W. Vivell, co-partners doing business as Nickols Transportation Co.

In a supplemental petition filed on March 21, Counsel for applicants reports that the order of the Interstate Commerce Commission dated November 7, 1946, authorizing Henry Nickols to transfer his interstate operative rights to said co-partners was stayed by an order of said Commission dated December 24, 1946 and that because of said stay, Henry Nickols did not exercise the authority granted by Decision No. 39761. He further reports that the Interstate Commerce Commission, by its order of March 10, 1947 vacated its order of December 24, 1946 and further ordered that its order of November 7, 1946 authorizing the transfer of said interstate operative rights shall become effective on

April 20, 1947 and that said order shall be of no force and effect unless the transfer is consummated on or before June 1, 1947.

Applicants request that the Commission amend its order in Decision No. 39761, dated December 23, 1946, and authorize applicants to consummate transfer of the properties to which reference is made in said order on or before June 1, 1947.

The Commission has considered applicants request and believes that such request should be granted, therefore,

IT IS HEREBY ORDERED that the order in Decision No. 39761, dated December 23, 1946 be, and the same is hereby amended, by substituting June 30, 1947 for March 1, 1947, in the first paragraph of said order.

IT IS HEREBY FURTHER ORDERED that this order will become effective on April 20, 1947.

IT IS HEREBY FURTHER ORDERED that the order in Decision No. 39761, dated December 31, 1946, shall remain in full force and effect except as modified by this First Supplemental Order.

Dated at San Francisco, California, this 15th day
of April 1947.

Harold A. Hild
Justice F. C. Cullen
Just. Russell
R. F. Zimmerman
Samuel J. Pettit

Commissioners