

Decision No. 40408

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
VALLEJO EXPRESS COMPANY, a corpora- )  
tion, MARIN-SONOMA FAST FREIGHT, a )  
corporation, and SONOMA EXPRESS )  
COMPANY, a corporation, to transfer )  
their highway common carrier and )  
express operative rights, equipment )  
and other assets to MERCHANTS EXPRESS )  
CORPORATION, a corporation, and of )  
MERCHANTS EXPRESS CORPORATION, a )  
corporation, to acquire the same. )

**ORIGINAL**

Application No. 28470

O P I N I O N

This is an application for an order authorizing the transfer of the operative rights, equipment and all other assets of applicants Vallejo Express Company, Marin-Sonoma Fast Freight and Sonoma Express Company to Merchants Express Corporation, and the unification of the business and operations of all of said applicants into a single highway common carrier system to be conducted by Merchants Express Corporation. (1)

Merchants is a highway common carrier operating generally between San Francisco, South San Francisco, Oakland and other points in Alameda and Contra Costa Counties, and certain points in Marin County, and between San Francisco and Oakland and San Jose, under certificates of public convenience and necessity granted to or acquired by that carrier by various decisions heretofore rendered by

(1) This is the second and final step in a program to merge the respective operations. By Decision No. 40367, dated June 10, 1947, in Application No. 28467, the Commission authorized Merchants Express Corporation hereafter called "Merchants," to purchase for \$185,145.68 and hold all of the outstanding shares of common stock of Vallejo Express Company, Marin-Sonoma Fast Freight and Sonoma Express Company, hereafter termed respectively "Vallejo," "Marin" and "Sonoma." Reference is made to Application No. 28467, which contains balance sheet statements of the four applicants, adjusted to April 30, 1947.

(2)  
the Commission.

Vallejo is likewise a highway common carrier operating generally between San Francisco and Oakland, Vallejo and Colistoga, under certificates of public convenience and necessity acquired by that carrier by Decision No. 37321, dated September 13, 1944, in Application No. 26267.

Marin, also a highway common carrier, operates generally between San Francisco and points in Marin, Sonoma and Napa Counties, under certificates of public convenience and necessity granted to or acquired by it pursuant to Decision No. 36445, dated June 22, 1943, in Application No. 25631, and Decision No. 37887, issued May 15, 1945, in Application No. 26263.

Sonoma is engaged in the business of transporting property as an "express corporation" between San Francisco and points in Marin, Sonoma and Napa Counties under an "express operative right" acquired by authority of Decision No. 38390, dated November 13, 1945, in Application No. 27067.

Applicants state that the proposed transfer of operative rights and property, and the complete merger of their business and operations, is required in the public interest because of the resulting saving in time, expense and inconvenience to the shipping public

(2)

<u>Decision Nos.</u>	<u>Dates</u>	<u>Application Nos.</u>
27367	Sept. 17, 1934	19603
29196	Oct. 19, 1936	19838
30704	March 14, 1938	21811
33549	Oct. 1, 1940	22993
36003	Dec. 8, 1942	25001
40105	March 25, 1947	28154, 28176

and to executive, operating and clerical personnel. Those benefits would arise, it is said, from the elimination of separate shipping documents and accounts and of duplication of work made necessary by having four services. A more efficient service to the public would result, it is stated, from the operation of a single fleet of equipment instead of several fleets whose units must be interchanged between different operations according to traffic demands. There would, moreover, be a single set of accounts and one set of reports to the Commission and other boards. The adjustment of claims and the preparation and filing of tariffs would also be simplified.

Southern Pacific Company and its subsidiary, Pacific Motor Trucking Company, have advised that they are not opposed to the granting of the application. No one else has indicated opposition to the plan.

Merchants appears to have both the experience and financial ability to conduct the proposed operations. We accordingly find that the transfer of operative rights and properties requested herein will be consistent with the public interest, and it will, therefore, be authorized. A public hearing is not necessary.

Applicants have represented that if the requested authority is granted they desire to consummate the transfer on July 1, 1947, and ask that the effective date of the order be shortened to permit necessary corporate meetings and execution of essential documents prior to the actual transfer date. The request appears reasonable and will be granted.

ORDER

An application therefor having been filed and considered, and

it having been found that the proposed transfer is in the public interest, and the Commission now being fully advised,

IT IS ORDERED:

(1) That Vallejo Express Company, Marin-Sonoma Fast Freight and Sonoma Express Company be and they are hereby authorized, after the effective date of this order and on or before September 1, 1947, to transfer to Merchants Express Corporation and Merchants Express Corporation is hereby authorized to acquire and use, the certificates of public convenience and necessity and operative rights hereinafter described, together with the equipment and all other assets of said Vallejo Express Company, Marin-Sonoma Fast Freight and Sonoma Express Company. The certificates herein authorized to be transferred are those granted to or acquired by the transferors herein pursuant to the following decisions of the Commission:

a. Vallejo Express Company:

Decision No. 37321, in Application No. 26267.

b. Marin-Sonoma Fast Freight:

Decision No. 36445, in Application No. 25631.

Decision No. 37887, in Application No. 26263.

c. Sonoma Express Company:

Decision No. 38390, in Application No. 27067.

(2) That in the event this authorization to transfer is exercised, Merchants Express Corporation shall advise the Commission thereof in writing within 10 days after the actual date of such transfer, and within 30 days after the consummation of said transfer shall file with the Commission a copy of any agreement or other instrument of transfer executed under the authority herein granted, and a copy of the book entries made to record the transaction.

(3) Applicants shall comply with the provisions of General Order No. 79 and Part IV of General Order No. 93-A, by filing, in triplicate, and concurrently making effective appropriate tariffs and time tables within 60 days from the effective date hereof and on not less than 1 day's notice to the Commission and to the public.

(4) The authority herein granted is not to be construed to be a finding of value of the properties herein authorized to be transferred.

The effective date of this order shall be the fifth day after the date hereof.

Dated at San Francisco, California, this 17<sup>th</sup> day of June, 1947.

Harold P. Kula

Justin J. Quaker

Jack Russell

R. J. Anderson

Herbert Potter

COMMISSIONERS