

Decision No. 42224

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)	
CLYDE GLAESER and EVELYN OTILIA)	
GLAESER, copartners, to transfer to)	Application No. 29801
EVELYN OTILIA GLAESER the operative)	
rights, assets and good will of WEST)	
BERKELEY EXPRESS AND DRAYING COMPANY.	

O P I N I O N

In this proceeding Evelyn Otilia Glaeser and Clyde Glaeser, doing business as West Berkeley Express and Draying Company, request the Commission to authorize them to transfer to Evelyn Otilia Glaeser certain physical property and highway common carrier operative rights between Berkeley, Oakland, Richmond and San Francisco.

Applicants are husband and wife and were authorized by the Commission's Decision No. 37319, in Application No. 26043, to acquire the properties and rights involved from the parents of applicant Evelyn Otilia Glaeser. The application states that for more than one year applicant Clyde Glaeser has not been and is not now active in the management and operation of said business and that said management and operation has been and now is conducted by said Evelyn Otilia Glaeser. Applicants desire to transfer to said Evelyn Otilia Glaeser all the assets, good will and operative rights pertaining to West Berkeley Express and Draying Company for a nominal consideration. A copy of the proposed bill of sale is attached to the application and marked Exhibit "C". The operative rights involved are more particularly described in the Commission's Decisions Nos. 26540 and 29196. The physical properties consist of shop and garage equipment, furniture and office equipment and supplies and approximately 43 units of automotive equipment including trucks, tractors, semi-trailers and full-trailers,

as described in Exhibit "B" attached to the application. It is asserted that service under the operative rights is now being provided and has never been discontinued.

After full consideration, it appears that the request of applicants is not adverse to the public interest and will be granted. A public hearing is not necessary. The action taken herein shall not be construed to be a finding of the value of the properties herein authorized to be transferred.

O R D E R

An application therefor having been filed, the Commission being fully informed in the premises and good cause appearing,

IT IS ORDERED:

(1) That Evelyn Otilia Glaeser and Clyde Glaeser are hereby authorized to transfer the highway common carrier operative rights referred to in Decision No. 37319 and the properties described in Exhibit "A" attached to the application herein, to Evelyn Otilia Glaeser. Evelyn Otilia Glaeser is hereby authorized to acquire the foregoing described operative rights and properties and thereafter to operate under said operative rights.

(2) That applicants shall comply with the provisions of General Orders Nos. 80 and 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 5 days' notice to the Commission and the public.

The effective date of this order shall be 20 days from the date hereof.

Dated at San Francisco, California, this
16th, day of November 1948.

James P. Lavelle
Harold P. Kula
Samuel P. Patton

Commissioners