

Decision No. 43578

ORIGINAL.

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of  
OREGON-NEVADA CALIFORNIA FAST FREIGHT, INC.,  
a California corporation, to sell, and  
MANNING TANK LINES, INC., a California  
corporation, to buy, such operative rights  
as Oregon Nevada California Fast Freight,  
Inc., may be entitled to under the provi-  
sions of Chapter No. 1399, Statutes of  
1949, and pending the determination of  
such rights to substitute Manning Tank  
Lines, Inc., as applicant in lieu of  
Oregon Nevada California Fast Freight, Inc.

O P I N I O N

This is an application for an order authorizing the transfer by the Oregon-Nevada California Fast Freight of whatever operative rights it may have by virtue of Chapter 1399, Statutes of 1949, to Manning Tank Lines, Inc., together with certain equipment.

The application shows that under an agreement dated November 16, 1949, the consideration to be paid for the rights and equipment to be transferred is the sum of \$43,413.50 of which \$42,413.50 represents the reasonable, fair market value of the equipment to be transferred and that the sum of \$1,000 represents the consideration for good will and operative rights.

Applicants allege that concurrently with the filing of this application Oregon-Nevada California Fast Freight has filed an application for a certificate under and by virtue of Chapter 1399, Statutes of 1949. Applicant Oregon-Nevada California Fast Freight, Inc., alleges that it is desirous of disposing of its business of transporting petroleum products in bulk, including its

operating equipment devoted to such transportation, its good will in such transportation, and such operative rights as it may be entitled to by reason of such transportation and further is desirous of immediately withdrawing from such business. Applicant, Manning Tank Lines, Inc., alleges that it is desirous of acquiring the property and rights described above and is desirous of immediately doing so and operating such business.

The proposed transfer does not appear to be contrary to the public interest and the application will be granted. A public hearing is deemed unnecessary. The action herein taken, however, shall not be construed to be a finding of the value of the property or properties to be transferred nor shall it be construed to be a determination of what operating rights Oregon-Nevada California Fast Freight, Inc., possesses by virtue of Chapter 1399, Statutes of 1949, which matter is before the Commission in Application No. 30801.

Applicants also request that Manning Tank Lines, Inc., be substituted for Oregon-Nevada California Fast Freight, Inc., as applicant in Application No. 30801. The order will so provide.

#### O R D E R

Application therefor having been filed and considered and the Commission being fully advised and finding that the proposed transfer is not adverse to the public interest,

#### IT IS ORDERED:

(1) That Oregon-Nevada California Fast Freight, Inc., be and is hereby authorized to sell and transfer to Manning Tank Lines, Inc., whatever operative rights it may hold by virtue of Chapter

1399, Statutes of 1949, together with the automotive equipment referred to in the foregoing opinion and that said Manning Tank Lines, Inc., be and is hereby authorized to purchase and acquire said operative rights and equipment and thereafter to conduct whatever operations said Oregon-Nevada California Fast Freight, Inc., may have been authorized to conduct by virtue of said Chapter 1399, Statutes of 1949.

(2) In the event this authorization to transfer is exercised Manning Tank Lines, Inc., shall advise the Commission thereof in writing within 10 days after the actual date of such transfer.

(3) That the authorization herein granted shall expire if not exercised within six (6) months from the effective date hereof unless further time is granted by subsequent order.

(4) The substitution of Manning Tank Lines, Inc., for Oregon-Nevada California Fast Freight, Inc., in Application No. 30801 is hereby authorized.

The effective date of this order shall be 10 days after the date hereof.

Dated at San Francisco, California, this 6<sup>th</sup> day of December, 1949.

R. E. Anderson  
Justus F. Cravens  
Justus F. Cravens

COMMISSIONERS