

ORIGINAL

Decision No. 44116

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)	
PROCTOR J. AULT to sell, and FRED)	
TUTTS, to purchase, an automobile)	Application No. 31283
freight line operating between)	
Gazelle and Etna, and intermediate)	
points.)	

O P I N I O N

In this application the Commission is requested to authorize Proctor J. Ault to sell and transfer to Fred Tufts and the latter to acquire from the former a highway common carrier operative right between Gazelle and Etna and intermediate points, and office equipment, stationary, books of account and loading facilities. The operative right proposed to be transferred was acquired by the seller pursuant to the authority of the Commission's Decision No. 42823 issued May 3, 1949, in Application No. 30246.

The proposed transfer would be made pursuant to the terms of an agreement attached to the application and marked Exhibit "A". The total purchase price is \$500, all of which is said to represent the value of the intangibles. According to the terms of the agreement, \$50 of the purchase price would be paid by the purchaser upon receipt of approval of the Commission. The remainder of \$450 would be payable in equal monthly installments within one year from the date of the agreement, which was April 6, 1950, together with interest on the unpaid portion of the principal at the rate of 6% per annum.

According to the application, the seller desires to retire from the transportation field in order to engage in other business. The buyer, for some time, has been engaged in highway common carrier

and passenger stage operations between Yreka and Happy Camp and intermediate points and is well experienced in transportation.

After full consideration we find that the public interest would not be adversely affected by approval of the transfer of the operative rights and properties as proposed and that a public hearing is not necessary. Accordingly the application will be granted. However, the action taken herein shall not be a finding of the value of the properties involved.

O R D E R

An application having been filed requesting authority to transfer operative rights and properties and the Commission now being fully informed in the premises,

IT IS ORDERED:

(1) That on or after the effective date hereof and on or before June 15, 1950, Proctor J. Ault may transfer to Fred Tufts and the latter may acquire from the former the operative rights and properties referred to in the foregoing opinion and thereafter to conduct operations pursuant to said operative rights.

(2) That appropriate tariffs and time tables as required by General Orders Nos. 80 and 93-A shall be filed in triplicate on or after the effective date hereof and on or before June 15, 1950, on not less than 5 days' notice to the Commission and the public.

(3) That within 30 days after the consummation of the transfer herein authorized Fred Tufts shall notify the Commission in writing of that fact and shall within said period file with the Commission a true copy of any bill of sale or other instrument of transfer which may have been executed to effect the transfer authorized.

The effective date of this order shall be twenty (20) days after the date hereof.

Dated at San Francisco, California, this 2nd day of May, 1950.

R. E. [Signature]

[Signature]

[Signature]

[Signature]
COMMISSIONERS

Commissioner Justus E. Graemer, being necessarily absent, did not participate in the disposition of this proceeding.