

**ORIGINAL**Decision No. 45080

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
 STANLEY H. BENTON and PAUL R. BENTON, )  
 doing business under the name of )  
 BENTON BUS LINES, to sell, and ) Application No. 31914  
 GUY H. BENTON, to purchase, an )  
 automobile passenger line between )  
 Whittier, Sunshine Farms, South )  
 Whittier Heights and Downey. )

O P I N I O N

The operating rights and the equipment of applicants Stanley H. Benton and Paul R. Benton are alleged to have been originally owned by applicant Guy H. Benton, who was authorized by Decision No. 42655, dated March 29, 1949, on Application No. 30047, to sell and transfer such operating rights and equipment to said Stanley H. Benton and Paul R. Benton. Such sale and transfer were made subject to, and in compliance with, Conditional Sales Contract in form attached to said Application No. 30047 as Exhibit "A". The present application states that applicants Stanley H. Benton and Paul R. Benton have not been able to fulfill the terms of said Conditional Sales Contract, and that they are willing to relinquish said equipment and transfer their operating rights between Whittier, Sunshine Farms, South Whittier Heights, and Downey, to said Guy H. Benton, in consideration of the cancellation of the seller's obligations under said contract. The present

operating rights held by applicants Stanley H. Benton and Paul R. Benton were granted to them by Commission Decision No. 44052, dated April 18, 1950, on Application No. 31000, in lieu of the rights they received under such Conditional Sales Contract.

Guy H. Benton proposes to cancel said contract, and thereby release the sellers from the obligations to be hereafter performed on behalf of said Stanley H. Benton and Paul R. Benton, upon their transfer to him of said operating rights and equipment. The unpaid principal sum now due under said contract is alleged to be approximately \$21,400.

After full consideration, it is found that public interest would not be affected adversely by approval of the transfer of the operative rights with which we are here concerned. Accordingly, the application will be granted. The action taken herein shall not be construed to be a finding of value of the property herein authorized to be transferred.

O R D E R

Application having been made to the Public Utilities Commission for an order authorizing the transfer of operating rights and properties, and the Commission having considered the matter and being of the opinion that a public hearing is not necessary, and that the application should be granted as herein provided, now therefore,

IT IS ORDERED:

(1) That Stanley H. Benton and Paul R. Benton, after the effective date hereof, and on or before February 1, 1951, may sell and transfer to Guy H. Benton, the operating rights and properties referred to herein, and Guy H. Benton may acquire and operate the same.

(2) That, within thirty (30) days after the consummation of the transfer herein authorized, applicant Guy H. Benton 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 said transfer, together with a true copy of the instrument by which applicant Guy H. Benton shall have cancelled and discharged the obligations of said Stanley H. Benton and Paul R. Benton to make further payments for said operating rights and equipment.

(3) Applicant Guy H. Benton shall comply with the provisions of General Orders Nos. 79 and 93-A, by filing in triplicate, and concurrently making effective, appropriate tariffs and time tables within sixty (60) days after the

effective date hereof, and on not less than five (5) days' notice to the Commission and the public.

Dated at San Francisco, California, this 5<sup>th</sup> day of December, 1950.

A. F. Anderson  
Justin J. Galloway  
Wm. H. Powell  
Harold H. Hill  
Wm. H. Hill

COMMISSIONERS