

ORIGINAL

Decision No. 47444

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
ALBERT DARRAH, copartner, to sell his)
interest in California Tank Line, a)
copartnership, to ROBERT A. ELLIS,)
copartner therein.)

Application No. 33480

O P I N I O N

Applicants, Albert Darrah and Robert A. Ellis, seek an order authorizing Albert Darrah to transfer to Robert A. Ellis all his right, title and interest in and to the operative rights granted them as copartners by Decision No. 44136, dated May 2, 1950, and Decision No. 44736, dated August 29, 1950.

Applicants allege that they desire to dissolve their partnership; that Albert Darrah has not been in good health and wishes to cease active work; that Robert A. Ellis has been actively engaged in the business of the partnership since July 1, 1946; that he is experienced therein and qualified to continue its operation; that no change in the present service is proposed.

The agreement of sale provides, in substance, that Robert A. Ellis is to pay Albert Darrah the sum of \$17,228 for the operative rights and quipment therein described, to which a value of \$5,717.88 has been allocated. The entire purchase price is to be paid at such time as approval of the sale is obtained from the Commission.

A statement, as of March 31, 1952, appended to the application indicates that Robert A. Ellis has a net worth of \$48,927.00, of which \$11,000 is represented by cash in bank.

A statement of income and expense indicates that for the three-month period ending March 31, 1952, the partnership conducted operations at a not profit of \$3,130.96.

We find that the public interest will not be adversely affected by approval of the transfer of the operative rights and

property with which we are here concerned. An order will be made granting the authority sought. In so doing, we are making no finding as to the value of such operative rights and property. A public hearing is not necessary.

ORDER

An application having been filed and the Commission being of the opinion that the authority requested should be granted.

IT IS ORDERED:

(1) That Albert Darrah, after the effective date hereof and on or before August 12, 1952, may sell and transfer to Robert A. Ellis the operative rights and property referred to herein, and the latter may acquire and thereafter operate the same, such sale and transfer to be made in accordance with the terms therefor set forth in the application, as amended.

(2) That, within thirty (30) days after completion of the transfer herein authorized, Albert Darrah and Robert A. Ellis shall notify the Commission in writing thereof and file with it a true copy of the instruments effecting such transfer.

(3) That applicants shall file in triplicate, and concurrently make effective, appropriate tariffs and time schedules within sixty (60) days after the effective date hereof and on not less than five (5) days notice to the Commission and the public:

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

Dated at San Francisco, California, this 8th day of July, 1952.

[Signature]
PRESIDENT
[Signature]
[Signature]
[Signature]

COMMISSIONERS