

ORIGINALDecision No. 47758

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 CHARLES J. MILLER, DALE E. MILLER)
 and HARRY G. MILLER, doing business)
 as MILLER BROTHERS, a copartnership,)
 to sell, and RANSOME TRANSPORTATION)
 CO., a California corporation, to)
 buy petroleum irregular route common)
 carrier rights between points in the)
 State of California.)

Application No. 33601

O P I N I O N

This is an application of Charles J. Miller, Dale E. Miller and Harry G. Miller, doing business as Miller Brothers, a copartnership, and Ransome Transportation Co., a California corporation.

The Miller Brothers have been, and now are, engaged in the tank truck service for the transportation of petroleum products as a petroleum irregular route carrier, as defined in Section 214 of the Public Utilities Code, between all points in the State of California by virtue of a certificate of public convenience and necessity issued to them by the Public Utilities Commission. (1)

Applicant Ransome Transportation Co. is engaged in the tank truck service for the transportation of liquefied petroleum gases and other commodities requiring pressurized equipment between points and places in the State of California, as set forth in Decision No. 42866, in Application No. 30036.

Miller Brothers propose to sell their operative rights in order to devote their time to duties and business interests involving

(1) Decision No. 44362, dated June 20, 1950, in Application No. 31122.

the transportation of commodities other than petroleum products in bulk, principally dry freight.

The consideration for the purchase of said operative rights is \$1,000, payable as follows: \$250 to be placed in escrow upon the signing of the application, and the balance to be paid within 30 days of the effective date of the approval of the transfer of the operative rights covered by this application.

None of the equipment of the sellers is involved in the transfer.

Attached to the application are current financial statements of the purchaser which would indicate that it is financially able to continue the business which it proposes to acquire.

The buyer alleges that it has been called upon by its shippers and consignees to perform transportation of other petroleum products in bulk between points within the State of California. The acquisition of the operative rights of the sellers would permit Ransome Transportation Co. to offer to its shippers and to the general public a more completely rounded out service for the transportation of all types of bulk petroleum products regardless of whether or not they require pressurized equipment.

After full consideration of the matter we are of the opinion, and hereby find, that the proposed transfer is not adverse to the public interest and should be authorized. A public hearing is not necessary.

O R D E R

Application therefor having been filed and considered, the Commission now being fully advised and having found that the proposed transfer of said operative rights is not adverse to the public interest,

IT IS ORDERED:

(1) That Charles J. Miller, Dale E. Miller and Harry G. Miller, copartners, doing business as Miller Brothers, be and they are hereby authorized to sell and transfer to Ransome Transportation Co. the certificate of public convenience and necessity granted by Decision No. 44362, dated June 20, 1950, in Application No. 31122, and that said Ransome Transportation Co. be and it hereby is authorized to purchase and acquire said certificate and thereafter to operate thereunder.

(2) That, within thirty (30) days after the effective date of this order, Charles J. Miller, Dale E. Miller and Harry G. Miller shall notify the Commission in writing of the consummation of said transfer and shall file with the Commission a true copy of any instrument, other than the bill of sale, which may be executed to effect said transfer.

(3) That, within sixty (60) days from the effective date hereof and on not less than five (5) days' notice to the Commission and the public, Ransome Transportation Co. shall file in triplicate, and concurrently make effective, tariffs satisfactory to the Commission.

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

Dated at San Francisco, California, this 30th day of September, 1952.

R. J. [Signature]
President
Harold P. [Signature]
Dale E. [Signature]

Commissioners