

ORIGINAL

Decision No. 47925

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )	
W. H. CLARK, doing business as )	
AUTOMOBILE FORWARDING SERVICE, to )	
sell, and NICHOLAS C. CONTEAS and )	
NICHOLAS KAVORAS, copartners, )	Application No. 33824
doing business as CALIFORNIA AUTO )	
TRANSPORT, to purchase, operating )	
rights of a highway common carrier )	
for the transportation of motor )	
vehicles. )	

O P I N I O N

W. H. Clark, doing business as Automobile Forwarding Service, seeks authority herein to transfer to Nicholas C. Conteas and Nicholas Kavoras, copartners doing business as California Auto Transport, the highway common carrier rights created by Decision No. 45990, dated July 24, 1951, in Application No. 30739, and ten pieces of motor vehicle and trailer equipment. The application also contemplates the sale of Clark's city, radial, and contract permits, but records of the Commission disclose that these permits were revoked upon his request in July, 1952.

The certificate proposed to be transferred authorizes the transportation of motor vehicles and other specified types of vehicles, parts and equipment over all principal highways in California from Oregon to Mexico. The agreed consideration for the operative right, good will and equipment is \$14,600, of which \$9,600 has already been paid (subject to refund if this Commission disapproves the sale) and the balance is due on February 1, 1953.

Conteas and Kavoras, the proposed purchasers herein, are presently certificated to render a highway common carrier service for the transportation of the same commodities hereinabove

described between the principal points and places in California south of Santa Rosa and Sacramento. Conteas and Kavoras are seeking to sell this certificate in Application No. 33823, filed concurrently herewith. The two applications are interdependent and it is requested that the Commission act upon them concurrently. It is the purpose of the proposed purchasers herein to expand their present business by the acquisition of the more extensive operative authority possessed by W. H. Clark. They allege that this acquisition will enable them to render a more complete, efficient and satisfactory service to the public, and that their present automotive equipment and terminals, together with the equipment to be acquired herein, will be adequate to conduct the more extensive operations herein proposed to be purchased. The balance sheet of their business, as of June 1952, discloses assets of \$82,000 and net worth of \$50,000.

Under the circumstances presented, we find that the proposed transfer is not adverse to the public interest and therefore will be authorized. No public hearing appears to be necessary. However, in authorizing this transfer we are making no finding of the value of the properties or operative right involved.

#### O R D E R

An application having been filed and the Commission having found that the public interest would not be adversely affected,

IT IS ORDERED:

(1) That W. H. Clark, after the effective date hereof and on or before January 31, 1953, may sell and transfer to Nicholas C. Conteas and Nicholas Kavoras the operative right 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 of the agreement attached as Exhibit A to the application herein.

(2) That within thirty (30) days after completion of the transfer herein authorized the transferees shall notify the Commission in writing of that fact and file with it a true copy of any bill of sale or other instrument of transfer executed to effect the same.

(3) That applicants shall file tariffs in the manner and within the time specified by the Commission in ordering paragraph 2(b) of Decision No. 45990, dated July 24, 1951 and subsequent extensions thereof.

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

Dated at San Francisco, California, this 18<sup>th</sup> day of November, 1952.

[Signature]  
President.

[Signature]

[Signature]

[Signature]

Commissioners