

ORIGINAL

Decision No. 49700

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
GREENWALT BROS., INC., a corporation,
to transfer, and S. DEL GEORGE, an
individual, to acquire operating
authority as a highway common carrier
of livestock.
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) Application
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) No. 35117
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OPINION AND ORDER

This is an application for an order authorizing Greenw-
walt Bros., Inc. to transfer operative rights and properties to
S. Del George.

On June 17, 1952, by Decision No. 47256 in Application
No. 32893, the Commission authorized S. Del George to transfer to
Greenwalt Bros., Inc. certain properties and the operative rights
he had acquired under authorization granted by Decision No. 44523,
dated July 11, 1950, permitting the transportation of livestock.
The agreement of sale provided for a total purchase price of
\$85,000, of which \$40,000 was to be payable in monthly installments
of \$1,000. The agreement further provided that in the event of
default in the payment of the monthly installments, Greenwalt Bros.,
Inc. would transfer the operative rights back to S. Del George.

It now appears that Greenwalt Bros., Inc. has defaulted
in the payment of the monthly installments and interest, that the
amount due and payable on December 15, 1953, was \$42,114.80 and
that on January 21, 1954, an agreement was reached whereby

Greenwalt Bros., Inc. would assign and transfer to S. Del George its operative rights and would transfer and release to him its right, title and interest in motor vehicle equipment and other personal property and S. Del George would release Greenwalt Bros., Inc. from further obligation under the original agreement.

Applicants now seek the Commission's approval of the transfer to carry out the terms of the agreement of January 21, 1954. The Commission has considered this matter and is of the opinion that a public hearing is not necessary and that the application should be granted, as herein provided; therefore,

IT IS HEREBY ORDERED as follows:

1. Greenwalt Bros., Inc., on and after the effective date hereof and on or before July 31, 1954, may transfer and assign its operative rights and properties to S. Del George in accordance with the terms of the agreement of January 21, 1954.

2. Within 60 days after the effective date hereof and on not less than five days' notice to the Commission and to the public, applicants shall supplement or reissue the tariffs on file with the Commission naming rates, rules and regulations governing the common carrier operations here involved to show that Greenwalt Bros., Inc. has withdrawn or canceled and S. Del George has adopted or established as his own said rates, rules and regulations. The tariff filings made pursuant to this order shall comply in all respects with the regulations governing the filing and construction of tariffs set forth in the Commission's General Order No. 80.

3. The authority herein granted will become effective
20 days after the date hereof.

Dated at San Francisco, California, this 23rd day of
February, 1954.

R. J. [Signature]
President

Justus J. [Signature]

[Signature]
[Signature]

[Signature]
Commissioners