

ORIGINALDecision No. 49773

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 ANNA LAURA CAREY, as Executrix of)
 the Estate of FRANCIS E. CAREY, de-)
 ceased, doing business as CAREY TRUCK)
 LINE, to transfer, and ANNA LAURA) Application No. 35102
 CAREY, an individual, doing business)
 as CAREY TRUCK LINE, to acquire oper-)
 ating rights, property and business)
 of a highway common carrier.)

O P I N I O N

Applicant Anna Laura Carey, as Executrix of the Estate of Francis E. Carey, deceased, doing business as Carey Truck Line, requests authority to transfer to self, an individual, doing business as Carey Truck Line, the operating rights, equipment and business formerly conducted by her husband, the said Francis E. Carey.

Francis E. Carey, deceased, doing business as Carey Truck Line, at the time of his death was engaged in the transportation of property in California as a highway common carrier under operating rights granted to him by this Commission in its Decision No. 41996, dated August 31, 1948, and Decision No. 43834, dated February 20, 1950. Generally, said decisions authorize the transportation of oil field, pipeline and refinery equipment, machinery, parts and supplies between certain points and certain oil fields located in the southern area of California, all as more particularly described in said decisions.

Under the terms of the Last Will of said decedent, the business, operations and equipment of said decedent were bequeathed to transferee. On November 9, 1953 the Los Angeles County Superior Court made its order for distribution of the estate of said decedent

pursuant to which order the business, operating rights and equipment of said decedent were distributed to transferee.

In addition to said operating rights, utility property to be transferred includes, among other things, trucks and semitrailers, certain dock facilities and office equipment as more specifically set forth in Exhibit A filed with the application.

Applicant has operated the business since the death of her husband, and statements filed with the application (Exhibits B and C) show that the business as of December 31, 1953 was in good financial condition.

The Commission having considered the matters pertinent hereto, finds that the proposed transfer is not adverse to the public interest and therefore the application will be granted. A public hearing is not deemed necessary.

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, the Commission being advised in the premises and good cause appearing,

IT IS ORDERED that:

1. Anna Laura Carey, as Executrix of the Estate of Francis E. Carey, deceased, may transfer on or before May 31, 1954 to Anna Laura Carey, an individual, doing business as Carey Truck Line, the operating rights and property hereinabove mentioned, and Anna Laura Carey is authorized to acquire and continue to operate said property and business as heretofore authorized by this Commission.
2. Within sixty 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 and timetables on file with the Commission, naming rates, rules, regulations and schedules governing the common carrier operations here involved to show that

Anna Laura Carey, Executrix of the Estate of Francis E. Carey, deceased, has withdrawn or canceled, and Anna Laura Carey has adopted or established as her own said rates, rules, regulations and schedules.

- 3. In the event said transfer is consummated Anna Laura Carey shall notify the Commission in writing of the fact within thirty days after date of transfer.
- 4. The authority herein granted shall expire unless exercised on or before May 31, 1954.

The effective date of this order shall be the date hereof.

Dated at Los Angeles, California, this 9th day of March, 1954.

A. B. Anderson
President

Justin F. C. ...

Sumner H. Patten

W. E. Mitchell

James ...
Commissioners