

**ORIGINAL**Decision No. 50083

## BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
 MARY MARTHA STANLEY, as Executrix )  
 of the Last Will of EDGAR S. STANLEY, )  
 deceased, doing business as STAR )  
 TRUCK & TRANSFER CO. and STAR TRUCK & )  
 WAREHOUSE CO., to transfer, and MARY )  
 MARTHA STANLEY, an individual, and )  
 MARY MARTHA STANLEY, as Trustee of )  
 the trust under the Last Will of )  
 EDGAR S. STANLEY, deceased, co- )  
 partners, doing business as STAR )  
 TRUCK & TRANSFER CO. and STAR TRUCK & )  
 WAREHOUSE CO., to acquire operating )  
 authority, property and business of a )  
 highway common carrier and a public )  
 warehouseman. )

Application No. 35379

O P I N I O N

Edgar S. Stanley, deceased, and said Mary Martha Stanley, his wife, at the time of the death of said decedent were engaged in highway common carrier operations between Los Angeles and Los Angeles Harbor under the firm name of Star Truck & Transfer Co. Said operations were conducted under a highway common carrier prescriptive right recognized by this Commission in its Decision No. 12823, dated November 14, 1923. They were also engaged in the operation of a public warehouse in Los Angeles under the firm name of Star Truck & Warehouse Co. Said public warehouse operations were conducted under operating rights acquired by reason of the operation of such warehouse on and prior to August 2, 1927.

The operations hereinbefore described were conducted under operating authorities held in the name of said decedent alone, but in fact owned by said decedent and said Mary Martha Stanley as co-partners. The court in which the probate of the Last Will of said decedent is pending, has recognized and confirmed ownership of an

undivided one-half interest in said operations in said decedent and an undivided one-half interest in such operations in said Mary Martha Stanley as an individual. Since the death of said decedent said Mary Martha Stanley as an individual and as Executrix of the Last Will of said decedent has conducted said operations under court order.

Under the terms of the Last Will of said decedent, his undivided one-half interest in said public warehouse and highway common carrier operations is bequeathed in trust to Mary Martha Stanley. The Los Angeles County Superior Court, in said probate proceeding No. 333 739, has made an order of distribution in which such undivided one-half interest of said decedent in said operations is distributed to said Mary Martha Stanley as trustee. Mary Martha Stanley and Edgar Morgan Stanley are the principal beneficiaries of said trust. The terms and conditions of said trust are contained in said order of distribution, a certified copy of which is attached to the application herein and marked Exhibit A.

By this application the transferee, as Executrix of the estate of said decedent, proposes to transfer an undivided one-half interest in said highway common carrier and public warehouseman operations to Mary Martha Stanley, as an individual, and an undivided one-half interest therein to Mary Martha Stanley, as trustee of the trust under the Last Will of Edgar S. Stanley, deceased. Said Mary Martha Stanley, as an individual and as such trustee, will conduct such highway common carrier operations under the firm name of Star Truck & Transfer Co. and such public warehouse operations under the firm name of Star Truck & Warehouse Co. Such operations will be conducted as a partnership in which partnership said Mary Martha Stanley, as an individual, will own an undivided one-half interest, and in which said Mary Martha Stanley, as such trustee, will own an

undivided one-half interest. Such operations will be continued with the same equipment and facilities and with no substantial change in personnel or management.

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 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 fully advised in the premises, and good cause appearing,

IT IS ORDERED:

(1) That Mary Martha Stanley, as Executrix of the Last Will of Edgar S. Stanley, deceased, may transfer on or before July 31, 1954, to Mary Martha Stanley as an individual and to Mary Martha Stanley as a trustee, the highway common carrier operating rights, the public warehouse operations, and the businesses and assets as set forth in the application; and Mary Martha Stanley as an individual and as trustee, is authorized to acquire and continue to operate said property and businesses as heretofore authorized by this Commission.

(2) That 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 on file with this Commission, naming rates, rules, and regulations governing the highway common carrier and warehouse operations herein involved to show that Mary Martha Stanley, as an individual and as trustee, has adopted or established as her own said rates, rules, and regulations.

(3) That in the event said transfers are consummated, Mary Martha Stanley shall notify the Commission in writing of the fact within thirty days after date of transfer.

The authority herein granted shall expire unless exercised on or before July 31, 1954.

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

Dated at San Francisco, California, this 25<sup>th</sup> day of May, 1954.

Edward L. Madden  
President

Justus J. Casper  
Samuel J. Patten

Verne J. Higgins

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Commissioners