

ORIGINALDecision No. 50281

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 Square Oil Company, Inc., to sell)
 and Union Truck Co., Inc., to purchase)
 a certificate of public convenience,)
 and necessity authorizing service as)
 a petroleum irregular route carrier.)

Application No. 35522

O P I N I O N

Applicant Square Oil Company, Inc. holds a certificate of public convenience and necessity authorizing service for the transportation of petroleum and petroleum products in tank trucks and tank trailers between all points and places in California south of the Sixth Standard Parallel South. Said certificate was granted by Decision No. 44383 dated June 20, 1950 in Application No. 31243 pursuant to Section 50-3/4 of the Public Utilities Act, as amended by Statutes 1949, Chapter 1399, by reason of operations conducted as a radial highway common carrier on September 1, 1949.

Since the grant of such operative rights service has been rendered, it is alleged, to the extent that transportation has been offered. This volume of business has been small and during the last year it is described as negligible, although its equipment has been maintained and all shipments offered have been duly carried.

These operative rights are, by this application, sought to be sold for \$500 cash, pursuant to Commission authorization, to Union Truck Co., Inc. which is engaged in the transportation of petroleum and petroleum products under a petroleum contract carrier permit. The purchasing applicant expects to sell this

permit if it acquires the certificate above referred to. Purchaser presently has, it is alleged, adequate equipment, financial ability and experienced personnel to perform a complete and adequate service under such certificate. No equipment or other property is to be transferred with the operative rights.

After full consideration of the matter the Commission is of the opinion that the transfer of the operative rights as requested should be authorized. Such transfer is found not to be adverse to the public interest. A public hearing is unnecessary. The action taken herein shall not be construed to be a finding of the value of the operating rights herein authorized to be transferred.

O R D E R

Application having been made for an order authorizing the transfer of operative rights, and the Commission having considered the matter, and being of the opinion that a public hearing is not necessary, and that the application should be granted,

IT IS ORDERED:

- (1) That within sixty days after the effective date hereof applicant Square Oil Company, Inc. may sell and transfer to Union Truck Co., Inc. for \$500 cash the operative rights granted by Decision No. 44383 dated June 20, 1950 in Application No. 31243 to applicant Union Truck Co., Inc. and said latter applicant may acquire and thereafter exercise said operative rights.
- (2) That within thirty days after the consummation of the transfer herein authorized, said Union Truck Co., Inc. shall notify the Commission in writing and within said period shall file with the Commission a true copy of any bill of sale or other instrument of transfer which may have been executed to effect such transfer.

- (3) That within sixty days after the effective date hereof and on not less than five days' notice to the Commission and to the public, applicant Union Truck Co., Inc. shall institute said service and shall join with said Square Oil Company, Inc. in supplementing or amending tariffs on file with the Commission naming rates, rules and regulations governing the operations here involved to show that Square Oil Company, Inc. has withdrawn and that Union Truck Co., Inc. has adopted as its own said rates, rules and regulations.

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

Dated at San Francisco, California, this 13th day of July, 1954.

John E. Mitchell
President
Matthew J. Cullen
Bennett Pottel
Gene Higgins
Commissioners