

ORIGINAL

Decision No. 50454

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)	
of OWL TRANSFER CO., a California	:	
corporation, and of JOSEPH C. JONES)	Application
for (a) permit to issue stock, and	:	No. 35687
(b) approval of sale and purchase)	
of utility property.	:	
-----)	

OPINION AND ORDER

This is an application for an order authorizing Joseph C. Jones to sell warehouse properties to Owl Transfer Co., a corporation, and authorizing said corporation to issue 304 shares of its common stock of the par value of \$100 each.

It is reported that applicant Jones for some years was engaged in the general trucking business in Fresno and, in connection therewith, in the operation of a public utility warehouse, the latter operations constituting the smaller part of the total volume of business transacted by him.^{1/} The application shows that heretofore applicant Jones made arrangements for the transfer of his properties to a corporation and for the issue of 304 shares of stock by said corporation and that these transactions were consummated without authorization from the Commission. According to the application, the total stock issue was based on the net book value of applicant Jones's investment at the time the transaction took place plus an allowance for working capital.

It appears that applicants' failure to obtain Commission

^{1/} The warehouse revenues amounted to \$30,058 in 1953 and the trucking and other revenues to \$153,706. The net income from all sources aggregated \$4,564.

authorization was through inadvertence and with no intent to evade the provisions of the Public Utilities Code. In filing the present application for the required authorization of the Commission they report that it is intended for the corporation to void the shares heretofore issued and to deliver new shares in exchange.

The Commission has considered this matter and is of the opinion that a public hearing is not necessary, that the application should be granted, as herein provided, that the money, property or labor to be procured or paid for by the issue of the shares of stock herein authorized is reasonably required by applicant corporation for the purposes specified herein, and that such purposes are not, in whole or in part, reasonably chargeable to operating expenses or to income; therefore,

IT IS HEREBY ORDERED as follows:

1. Joseph C. Jones is authorized to transfer his public utility warehouse business, on or before December 31, 1954, to Owl Transfer Co., a corporation.

2. Owl Transfer Co., a corporation, is authorized to issue not exceeding 304 shares of its common stock, of the aggregate par value of \$30,400, on or before December 31, 1954, in exchange for shares heretofore issued without Commission authorization for the purpose of financing the acquisition of the properties of Joseph C. Jones and of providing working capital.

3. On not less than five days' notice to the Commission and to the public, applicants shall supplement or reissue the tariffs now on file with the Commission, insofar as they name rates, rules and regulations governing warehouse operations of Joseph C.

Jones, to show that Joseph C. Jones has withdrawn or canceled and that Owl Transfer Co., a corporation, concurrently has adopted or established as its own said rates, rules and regulations. The tariff filings made pursuant to this order in all respects shall comply with the regulations governing the construction and filing of warehouse tariffs set forth in the Commission's General Order No. 61.

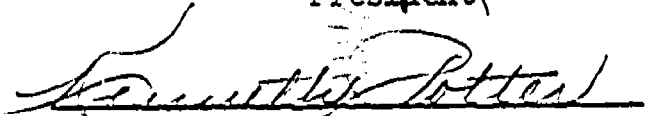
4. Owl Transfer Co., a corporation, shall file with the Commission monthly reports as required by General Order No. 24-A, which order, insofar as applicable, is made a part of this order.

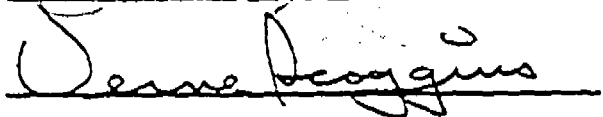
5. The authority herein granted will become effective upon the date hereof.

Dated at San Francisco, California, this 24th day of August, 1954.



President





Commissioners