

Decision No. 51551**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of A. L. KERWOOD and BURNELL H.)
RICHARDS to transfer a certificate)
of public convenience and neces-)
sity as a petroleum irregular route)
carrier permit #42-1459 from the)
said A. L. KERWOOD, Seller, to)
BURNELL H. RICHARDS, as Buyer.)

Application No. 36936

O P I N I O N

Applicant A. L. Kerwood has been operating as a petroleum irregular route carrier in the Counties of San Luis Obispo, Monterey, San Benito and Santa Cruz under authority of a certificate of public convenience and necessity granted by Decision No. 50497, dated August 31, 1954, in Application No. 35486. By the present application filed May 2, 1955, applicant Kerwood requests authority to sell said certificated rights and applicant Burnell H. Richards requests authority to purchase and thereafter operate pursuant to the authority of said certificate.

The purchase price for the operative rights is \$100 in cash. Five pieces of operating equipment are also to be sold for a cash purchase price of \$20,500. Applicant Richards has submitted a financial statement showing total assets of \$134,000 and total liabilities consisting of an unsecured loan of \$20,500. This applicant alleges that he has had extensive experience in hauling for all major and independent oil companies in California and is consequently well qualified to carry on this business. The purchaser proposes to adopt the rates filed by the seller.

Upon reviewing this matter the Commission finds that the proposed transfer will not be adverse to the public interest and should be authorized. A public hearing is not necessary. The action taken herein shall not be construed as a finding of the value of the rights and equipment herein authorized to be transferred.

O R D E R

The Commission having considered the above-entitled matter and being of the opinion that a public hearing is unnecessary and that the proposed transfer of operative rights is not adverse to the public interest,

IT IS HEREBY ORDERED:

- (1) That on or before the twenty-fourth day of July, 1955, A. L. Kerwood may sell and transfer to Burnell H. Richards his operative rights granted by said Decision No. 50497 and the equipment referred to in this application upon the terms stated in the above opinion, and said applicant Richards may acquire and thereafter operate under said rights.
- (2) That within thirty days after completion of the transfer herein authorized, applicant Richards shall so notify the Commission in writing and within said period shall file with it true copies of any instruments executed to effect such transfer.
- (3) That in accordance with the Commission's General Order No. 80 and concurrently with the transfer authorized by ordering paragraph (1) hereof, on not less than five days' notice to the Commission and the public, applicant Richards shall, within the period provided in said ordering paragraph (1), institute service under the operative rights hereby acquired and shall join with applicant Kerwood in supplementing or amending tariffs on file with

the Commission naming rates, rules and regulations governing the operations here involved to show that applicant Kerwood has withdrawn and that applicant Richards has adopted as his 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 7th day of January, 1955.

John L. Mitchell
President
Justin J. Caswell
Paula Winterer
Michael A. ...
Commissioners