

Decision No. 52096

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
 DEALERS TRANSIT, INC., for transfer
 to it of certificate of public con-
 venience and necessity issued to
 Dealer's Transport Company

Application No. 37216

O P I N I O N

Authority is sought to effect a corporate merger of Dealer's Transport Company, an Illinois corporation, into Dealers Transit, Inc., a Delaware corporation, authorized to do business in the State of California. The former is engaged in the transportation of vehicles between points within California, while the latter is authorized to transport such commodities in interstate commerce to and from California points.

Dealers Transit, Inc., owns 99 per cent of the stock of Dealer's Transport Company and under the plan of merger would surrender for cancellation all of said stock.

The property to be transferred is described in a Bill of Sale, which is attached to the application as Exhibit V. The operative rights, for which authority is herein sought to merge and transfer, were created by Decision No. 45990, dated July 24, 1951, in Application No. 29828.

The authority of the Interstate Commerce Commission to merge operating rights and property was granted on February 17, 1955.

After consideration the Commission is of the opinion and so finds that the proposed merger and transfer would not be adverse to the public interest. The application will therefore be granted. A public hearing does not appear to be necessary.

O R D E R

Application having been filed and the Commission having been informed in the premises,

IT IS ORDERED:

(1) That the acquisition of control by Dealers Transit, Inc., of Dealer's Transport Company and the merger of the operating rights and property of the latter into the former for ownership, management, and operation are hereby approved and authorized.

(2) That on or before December 1, 1955, Dealer's Transport Company, is hereby authorized to transfer and Dealers Transit, Inc., is hereby authorized to acquire the property described in Exhibit V attached to the application and the operative rights granted by Decision No. 45990, dated July 24, 1951, in Application No. 29828.

(3) That, within thirty days after the consummation of the transfer herein authorized, Dealers Transit, Inc., shall notify the Commission, in writing, of that fact and within said period shall file with the Commission a true copy of any bill of sale or other instrument of transfer which may be executed to effect said transfer.

(4) That, on not less than five days' notice to the Commission and to the public, applicants shall amend or reissue the tariffs on file with the Commission naming rates, rules and regulations governing the common carrier operations here involved to show that Dealer's Transport Company has withdrawn or canceled and Dealers Transit, Inc., has adopted or established as its own said rates, rules and regulations. The tariff filings made pursuant to the order shall comply in all respects with the regulations governing the construction and filing of tariffs set forth in the Commission's

General Order No. 80.

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

Dated at San Francisco, California, this 18th day of OCTOBER, 1955.

E. P. Mitchell
 President

Justin J. Cramer

Raulo Antero

Wm. J. ...

P. Hardy
 Commissioners