

Decision No. 52421**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 HOMER M. BROWER and CREIGHTON W.)
 BROWER, a copartnership, doing busi-)
 ness as SONORA FREIGHT LINES, to)
 sell and transfer highway common)
 carrier certificates, equipment and)
 other assets to CALIFORNIA MOTOR)
 TRANSIT CO., LTD., a corporation,)
 and of CALIFORNIA MOTOR TRANSPORT)
 CO., LTD., to purchase highway com-)
 mon carrier certificates, equipment)
 and assets.)

Application No. 37370

Douglas Brookman, for applicants.
Frederick Fuhrman, for Sierra Railroad Co.,
 Southern Pacific Company, Pacific Motor
 Trucking Co., Burnette Transportation Co.,
 interested parties.
Robert S. Crossland, for Valley Motor Lines,
 Inc., protestant.

O P I N I O N

Homer M. Brower and Creighton W. Brower, doing business as Sonora Freight Lines and presently rendering service as a highway common carrier between Modesto and points and places in the Mother Lode Country, request authority to transfer said operative rights and certain specified property to California Motor Transport Co., Ltd.

A public hearing was held before Examiner Thomas E. Daly on November 23, 1955, at San Francisco. Valley Motor Lines, Inc., appeared in protest to the granting of the application.

The agreed purchase price is \$28,000. According to the terms of the agreement, a copy of which is attached to the application, \$25,000 is to be paid in cash and the balance of \$3,000 paid six months thereafter.

A value of \$21,565.70 is placed upon equipment and supplies. The book cost of certificates is listed as \$3,150. This

includes a purchase price of \$2,900 for the operative rights acquired under Decision No. 48578, dated May 12, 1953, in Application No. 34252; filing fees in Applications Nos. 35937 and 36054; and attorney fees. The balance represents good will.

By Decision No. 52195, dated November 7, 1955, in Application No. 35937, applicants Homer M. Brower and Creighton W. Brower were granted an in lieu certificate which included additional operating authority. The effective date of the decision was stayed by a petition for rehearing filed by Valley Motor Lines, Inc. If and when said decision becomes effective it is requested that the operating authority granted hereby be transferred to California Motor Transport Co., Ltd.

The protest of Valley Motor Lines, Inc., was apparently motivated by the fact that it presently has on file with this Commission an application to extend its service into the Mother Lode Country. No affirmative showing was made in support of the protest.

After consideration the Commission is of the opinion and so finds that the proposed transfer will not be adverse to the public interest. The action taken herein shall not be construed to be a finding of the value of the rights and properties herein authorized to be transferred.

O R D E R

Application having been filed and the Commission being informed in the premises;

IT IS ORDERED:

(1) That on or before May 1, 1956, Homer M. Brower and Creighton W. Brower, doing business as Sonora Freight Lines, may sell and transfer and California Motor Transport Co., Ltd., may purchase and acquire the operative rights granted by Decision

No. 49749, dated March 2, 1954, in Application No. 35109 and the property described in Exhibit A attached to the application herein.

(2) That California Motor Transport Co., Ltd., is hereby substituted as applicant in the place and stead of Homer M. Brower and Creighton W. Brower, doing business as Sonora Freight Lines in Application No. 35937.

(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, applicants shall supplement or reissue the tariffs on file with the Commission naming rates, rules and regulations governing the common carrier operations here involved to show that Homer M. Brower and Creighton W. Brower have withdrawn or canceled and California Motor Transport Co., Ltd., has adopted or established 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 28th day of December, 1955.

[Signature]
 President

[Signature]
 Justice J. C. [unclear]

[Signature]
 Ralph [unclear]

[Signature]
 [unclear]

Commissioners

Commissioner Rex Hardy, being necessarily absent, did not participate in the disposition of this proceeding.