

Decision No. 52664

**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application )  
of NIELSEN FREIGHT LINES, a cor- )  
poration, to purchase, and ARROW )  
DELIVERY COMPANY, a corporation, )  
to sell a highway common carrier )  
certificate to serve points and )  
places in the San Francisco- )  
East Bay Cartage Zone. )

Application No. 37636

O P I N I O N

An order is sought in this proceeding authorizing Arrow Delivery Company, a corporation, hereinafter referred to as Arrow, to sell and Nielsen Freight Lines, hereinafter called Nielsen, to purchase a certain operative right.

Applicants allege:

(1) That Arrow possesses a certificate of public convenience and necessity authorizing the transportation of property between points and places in the San Francisco-East Bay Cartage Zone.

(Decision No. 51063, in Application No. 35757)

(2) That Nielsen possesses certificates of public convenience and necessity authorizing the transportation of property generally between various points in Bay area and points in northern California.

(Decisions Nos. 43566, 45232 and 46679)

(3) That the consideration for the transfer is the sum of \$3,100, of which \$3,050 represents good will and \$50 represents the value of the operative right involved, payable in cash within five days after the effective date of an order issued by this Commission authorizing such transfer.

(4) That Arrow wishes to restrict its activities to service limited to selected customers pursuant to the permitted authority heretofore issued it by this Commission.

(5) That Nielsen maintains a large fleet of equipment and substantial terminal facilities in the San Francisco-East Bay Cartage Zone.

(6) That the granting of the application will permit Nielsen to render an expanded pick-up and delivery service in connection with its presently certificated operations with a resultant improved service to the public.

There are attached to the application a list of Nielsen's motor vehicle equipment and Nielsen's balance sheet, as of November 30, 1955, together with a profit and loss statement for the eleven-month period ending November 30, 1955.

The Commission finds that the public interest will not be adversely affected by approval of the transfer proposed herein. The application will be granted. The action taken herein shall not be construed to be a finding of the value of the right herein authorized to be transferred. Nielsen Freight Lines is hereby placed upon notice that operative rights, as such, do not constitute a class of property which may be capitalized or used as an element of value in rate fixing for any amount of money in excess of that originally paid to the State as the consideration for the grant of such rights. A public hearing is not necessary.

O R D E R

An application having been filed, and the Commission being of the opinion that the authority requested should be granted,

IT IS ORDERED:

(1) That Arrow Delivery Company, a corporation, after the effective date hereof, and on or before May 7, 1956, may sell and transfer to Nielsen Freight Lines, a corporation, and the latter may acquire and purchase the operative right granted by Decision No. 51063, dated February 1, 1955, in Application No. 35757.

(2) That within ten days after completion of the transfer herein authorized, Nielsen Freight Lines, shall so notify the Commission in writing and within said period shall file with it true copies of the instruments executed to effect said transfer.

(3) That applicants shall, effective concurrently with the consummation of such transfer, and on not less than five days' notice to the Commission and the public, amend tariffs on file with the Commission naming rates, rules and regulations governing the operations here involved to show that Arrow Delivery Company has withdrawn and Nielsen Freight Lines has adopted as its own said rates, rules and regulations.

(4) That, effective concurrently with the consummation of such transfer, the operative right, the transfer of which has hereinabove been authorized, shall be deemed consolidated with the operative rights heretofore granted Nielsen Freight Lines by Decision No. 43566, in Application No. 29105, Decision No. 45232, in Application No. 31462 and Decision No. 46679, in Application No. 32148.

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

Dated at San Francisco, California, this 21<sup>st</sup> day of February, 1956.

[Signature]  
President

[Signature]

[Signature]

[Signature]

[Signature]  
Commissioners