

ORIGINAL

Decision No. ~~52087~~

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of ARROW DELIVERY COMPANY, a)
corporation, to transfer and SERGIO)
SARTORI and ELIO SARTORI to acquire)
the partnership interest of ARROW)
DELIVERY COMPANY in SALINAS VALLEY)
FREIGHT LINES, a highway common carrier,)
presently operated by ARROW DELIVERY)
COMPANY and RICCARDO TUNZI as)
copartners.)
-----)

Application
No. 37879
(and Amendment)

OPINION AND ORDER

This is an application for an order authorizing Arrow Delivery Company, a corporation, to sell its partnership interest in the Salinas Valley Freight Lines to Sergio Sartori and Elio Sartori.

Arrow Delivery Company, a corporation, and Riccardo Tunzi, as partners, are engaged in operating the Salinas Valley Freight Lines as a highway common carrier of general commodities between points in the San Francisco Bay area on the north and Salinas and King City on the south. They set up their operations as partners under authorization granted by Decision No. 51183, dated March 8, 1955, and for the last six months of the year reported gross revenues of \$60,624 and net profit of \$4,604.

The present application shows that the management of Arrow Delivery Company desires to devote its attention to other activities and that it has made arrangements to sell its partnership interest in Salinas Valley Freight Lines to Sergio Sartori and Elio Sartori for the sum of \$15,795.

The purchasers are nephews of Riccardo Tunzi, the remaining partner, are presently employed by Salinas Valley Freight Lines, and are experienced in the trucking business. It appears to us, and we so find, that the transfer of the partnership interest as now proposed will not be adverse to the public interest.

Applicants are 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. Aside from their purely permissive aspect, they extend to the holder a full or partial monopoly of a class of business over a particular route. This monopoly feature may be changed or destroyed at any time by the state, which is not in any respect limited as to the number of rights which may be given.

We are of the opinion that a public hearing in this matter is not necessary and that the request of applicants should be granted; therefore,

IT IS HEREBY ORDERED as follows:

1. Arrow Delivery Company, a corporation, may transfer its partnership interest in Salinas Valley Freight Lines to Sergio Sartori and Elio Sartori, who may enter upon and conduct the operations in partnership with Riccardo Tunzi.

2. On not less than five days' notice to the Commission and to the public, effective concurrently with the consummation of the transfer herein authorized, 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 Arrow Delivery Company and Riccardo Tunzi have withdrawn or cancelled and that Riccardo Tunzi, Sergio Sartori and Elio Sartori have adopted or established, as their own, said rates, rules and regulations. The tariff filings made pursuant to this 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.

3. The action taken herein shall not be construed to be a finding of value of the properties herein authorized to be transferred.

4. The authority herein granted will become effective 20 days after the date hereof. If not exercised, such authority will expire September 30, 1956.

Dated at San Francisco, this 17th day of April, 1956.

John E. Bostell
President

Justin J. Gorman

Ray L. Lutz

William J. Bush

R. Hardy

Commissioners