

ORIGINAL

Decision No. 53811

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 P. R. Powell, an individual, to sell,)
 and of L P G Transportation Corp., a)
 California corporation, to purchase)
 the certificate of public convenience)
 and necessity authorizing the trans-)
 portation of petroleum products as an)
 irregular route carrier.)

Application No. 37836

O P I N I O N

By Decision No. 44357, P. R. Powell was granted a certificate of public convenience and necessity authorizing him to transport, as a petroleum irregular route carrier, petroleum and petroleum products in tank trucks and tank trailers between all points and places in the State of California.

By Decision No. 44862, L P G Transportation Corp., a California corporation, was authorized to transport, as a petroleum irregular route carrier, "weed oil, diesel oil, gasoline and stove oil, between all points and places in the State of California south of a line fifty (50) miles north of U. S. Highway 40 ..."

By this application P. R. Powell seeks authority to sell and transfer the above described operating right to L P G Transportation Corp. for a consideration of \$750 to be paid in cash upon receipt of authorization from this Commission.

L P G Transportation Corp., purchaser, also has authority from this Commission (Decision No. 42849, as amended by Decision No. 42996) to transport, as a "highway common carrier," as defined in Section 213 of the Public Utilities Code, "liquefied petroleum gases in all of their forms, including butane, propane, isopropyl, normal butane, natural gasoline, and casinghead gasoline ..."

generally between points situated along all principal U. S. highways in this State from San Francisco and Sacramento south to the Mexican border, with the right to make lateral departures therefrom within a radius of 50 miles of the route as described.

As of December 31, 1955, L P G Transportation Corp. had assets of \$175,179.65 as liabilities of \$79,417.86. A net worth of \$95,761.79 was represented by Capital Stock Outstanding \$33,368.19, Surplus \$51,699.78, and 1955 Profit \$10,693.82.

Applicant possesses the facilities and experienced personnel to perform the services required by the certificate it proposes to acquire.

The Commission having considered the matter is of the opinion and finds the proposed sale and transfer is not adverse to the public interest, and therefore the application will be granted.

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

As the certificate herein sought to be transferred duplicates the authority granted to L P G Transportation Corp. in Decision No. 44862, the latter authority will be revoked.

O R D E R

Application having been made, the Commission being fully advised in the premises and good cause appearing,

IT IS ORDERED:

(1) That P. R. Powell, an individual, may sell and transfer, on or before sixty days after the effective date of this order, to L P G Transportation Corp., a corporation, the petroleum irregular route operating right referred to in the foregoing opinion, said sale to be made substantially upon the terms and conditions of the agreement of sale filed as Exhibit "A" with the application, and

L P G Transportation Corp. may acquire said operating right and shall continue said transportation service as heretofore authorized by this Commission.

(2) That within sixty days after the effective date hereof, effective concurrently with the consummation of such transfer, and on not less than five days' notice to the Commission and to the public, applicants shall amend tariffs on file with the Commission naming rates, rules and regulations governing the operations here involved to show that P. R. Powell has withdrawn and L P G Transportation Corp. has adopted as its own said rates, rules and regulations.

(3) That in the event the authority herein granted is exercised, L P G Transportation Corp. shall notify the Commission in writing of the fact within thirty days after the date of transfer.

(4) That upon consummation of the sale and transfer as hereinabove authorized, the operating right granted by Decision No. 44862, dated October 3, 1950, in Application No. 31482, be and it hereby is revoked.

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

Dated at San Francisco, California, this 1st day of May, 1956

[Signature]
President
[Signature]
[Signature]
[Signature]
Commissioners