

Decision No. 5295

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 PACIFIC INTERMOUNTAIN EXPRESS CO.,)
 a corporation, for authority to)
 acquire from KEYSTONE PROPERTIES)
 CORPORATION all of the issued and)
 outstanding capital stock of:)
 (a) PUBLIC FREIGHT SYSTEM, a high-)
 way common carrier, and (b) PUBLIC)
 FREIGHT SERVICE, an express corpo-)
 ration, pursuant to the provisions)
 of Section 852 of the Public Utili-)
 ties Code.)

Application No. 37472
 (First Supplemental)

Arthur Glanz, attorney for applicants.

O P I N I O N

By Decision No. 52359, dated December 12, 1955, the Pacific Intermountain Express Company obtained authority from this Commission to purchase from Keystone Properties Corporation all of the issued outstanding capital stock of Public Freight System, a highway common carrier and of Public Freight Service, an express corporation.

In a companion proceeding filed with the Interstate Commerce Commission, the applicant sought similar authority from that body. By Decision MC-F-5912, effective May 10, 1956, the Interstate Commerce Commission approved the transfer but required as a condition that Pacific Intermountain Express Company unify the properties of Public Freight Service with those of Pacific Intermountain Express Company and dissolve Public Freight Service.

In this proceeding, the applicant requests (a) authority to unify the properties of Public Freight Service with its own and to dissolve Public Freight Service, (b) to merge Public Freight

System with Pacific Intermountain Express Company, and (c) a supplemental order extending the time within which the transaction authorized by Decision No. 52359, supra, may be consummated.

A public hearing was held before Examiner Grant E. Syphers in Los Angeles on September 11, 1956, at which time evidence was adduced and the matter submitted.

At the hearing the operations of Public Freight Service and Public Freight System were explained. Public Freight Service is a freight forwarder and express corporation, while Public Freight System is a highway common carrier. Both are wholly owned by Keystone Properties Corporation. Pacific Intermountain Express has purchased all of the capital stock of this last-named corporation. It is the proposal of applicant to discontinue the operations of Public Freight Service, thereby relinquishing the interstate authority held by that corporation. Applicant submitted that this would be advantageous since it would result in all of its operations being conducted by one corporate entity. To achieve this effect, it is applicant's further intention to merge the common carrier operations of the Public Freight System with its own. Upon consideration of this record we find the proposal to be not adverse to the public interest. It will be granted.

O R D E R

Application as above entitled having been filed, a public hearing having been held thereon, the Commission being fully advised in the premises, and hereby finding it to be not adverse to the public interest,

IT IS ORDERED:

(1) That the Pacific Intermountain Express Company is hereby authorized to unify the properties of Public Freight System with

those of Pacific Intermountain Express Company and upon the completion of such unification to dissolve Public Freight Service.

(2) The Pacific Intermountain Express Company is authorized to merge the Public Freight System with Pacific Intermountain Express Company within a period of one year from the effective date of this order.

(3) The time within which the parties hereto may consummate the transaction authorized by Decision No. 52359, dated December 12, 1955 in Application No. 37472 as supplemented by paragraphs (1) and (2) above of the instant order be extended to a date one year from the effective date of this order.

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

Dated at Los Angeles, California, this 23rd day of OCTOBER, 1956.

[Signature]
 President

[Signature]

[Signature]

[Signature]

[Signature]
 Commissioners