

Decision No. 51002

**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
 WALTER E. GILLIARD to transfer to )  
 WALTER E. GILLIARD and GLEN E. PRICE, )  
 as co-partners, doing business as )  
 W. E. GILLIARD VACUUM TRUCK SERVICE )  
 a Certificate of Public Convenience )  
 and Necessity to operate vacuum tank )  
 trucks as a petroleum irregular route )  
 carrier. )

Application No. 38399

O P I N I O N

By this application filed September 7, 1956, Walter E. Gilliard requests authority to transfer to Glen E. Price 49 per cent of the assets and profits of his Vacuum Tank Truck Service business. The assets to be transferred include the operative rights granted by Decision No. 51454 dated May 10, 1955, in Application No. 36415.

As justification for the granting of the requested relief the application alleges that on or before May 15, 1955, Walter E. Gilliard took as a partner Glen E. Price, it being orally agreed that both would participate in the management, in the assets and in the profits on the basis of 51 per cent to Gilliard and 49 per cent to Price. The permits issued to applicant Gilliard by the Commission have been transferred to the partners pursuant to authority granted by this Commission and they now seek to have the Commission authorize this further transfer.

The Commission is not asked to approve the incurring of any indebtedness by either the partnership or the partners. According to the balance sheet submitted, the net worth of the firm is stated as W. E. Gilliard \$14,920.50 and G. E. Price \$1,874.03. No consideration is stated as being paid for operative rights.

The Commission finds that this proposed transfer will not be adverse to the public interest. A public hearing is not necessary.

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

O R D E R

Application therefor having been filed, public hearing appearing unnecessary, the Commission being fully advised and finding that the proposed transfer will not be adverse to the public interest,

IT IS ORDERED:

1. That Walter E. Gilliard, without the payment of any additional compensation by Glen E. Price therefor, may transfer to him the operative rights and equipment referred to in the above opinion and said applicants as partners may thereafter operate such equipment under said rights.

2. That within thirty days after the effective date hereof and on not less than five days' notice to the Commission and the public, applicants shall institute service under said operative rights and shall join in supplementing or amending tariffs on file with the Commission naming rates, rules and regulations governing the operations herein involved to show that said applicants have adopted said rates, rules and regulations.

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

Dated at San Francisco, California,  
this 30th day of October, 1956.

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