

ORIGINAL

Decision No. 56942

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
GILLIARD PETROLEUM SERVICE, INC.,
a corporation, for authority to
sell and transfer operative
properties to S. A. GILLIARD.

Application No. 39908

In the Matter of the Application of
JOHN C. MOODY for authority to sell
and transfer operative rights to
S. A. GILLIARD.

Application No. 40027

O P I N I O N

By Application No. 39908, as amended, filed March 13, 1958, Gilliard Petroleum Service, Inc., a corporation, seeks authority to transfer certain of its common carrier operative equipment to S. A. Gilliard who is also an applicant. The corporate applicant also seeks to have the fact that it has changed its name to Coastal Vacuum Service, Inc., duly recognized in Commission records. The corporate applicant under its new name of Coastal Vacuum Service, Inc., will continue to operate with its remaining equipment as a Petroleum Irregular Route Carrier under the authority granted by Decision No. 50315, dated July 27, 1954, in Application No. 35234. Applicant S. A. Gilliard proposes to sell all his stock in the corporation. For the sum of \$25,000 in cash applicant Gilliard will deliver to the other corporation stockholders 246 shares of his stock and for the other 200 shares to be delivered to the corporation he will receive the equipment listed in an agreement dated February 21, 1958, a copy of which is attached to the application as Exhibit E. This contract contemplates the acquisition by applicant Gilliard of the petroleum irregular route operative rights John C. Moody received pursuant to Decision No. 50476 dated August 24, 1954, in Application No. 35497.

From a careful study of the verified allegations of the application and of the exhibits attached thereto or submitted in supplement thereof the Commission is of the opinion and finds that each of the applicants, after the requested transfer, will be financially able and adequately experienced to successfully carry on operations as a petroleum irregular route carrier.

By Application No. 40027 filed April 22, 1958, John C. Moody, referred to in Application No. 39908, seeks authority to transfer his operative rights as a petroleum irregular route carrier to S. A. Gilliard, who was one of the applicants in said prior application. These rights authorize service to all points and places in Ventura County within a radius of fifty airline miles from the City of Ventura, with emergency service to all points in the State (Decision No. 50476 dated August 24, 1954, in Application No. 35497). Mr. Gilliard proposes to pay Mr. Moody \$500 for his operative rights. From the information furnished in the two applications numbered 39908 and 40027, the Commission is of the opinion and finds that the granting of said applications and the transfers therein requested will not be adverse to the public interest. Both applications will be granted. A public hearing is not necessary.

O R D E R

Applications therefor having been filed, public hearing thereon not appearing to be necessary, the Commission being fully advised in the premises and being of the opinion that the applications should be granted,

IT IS ORDERED that:

(1) Gilliard Petroleum Service, Inc. is authorized to carry on its operations under the corporate name of Coastal Vacuum Service, Inc.

(2) Within sixty days after the effective date hereof, and on not less than five days' notice to the Commission and to the public, applicants shall supplement the tariffs on file with the Commission naming rates, rules and regulations governing the common carrier operations of Gilliard Petroleum Service, Inc., to show that Gilliard Petroleum Service, Inc. has withdrawn and Coastal Vacuum Service, Inc. has adopted as its own, said rates, rules and regulations. The tariff filings made pursuant to this order shall comply in all other respects with the regulations governing the construction and filing of tariffs set forth in the Commission's General Order No. 80.

(3) Applicant Coastal Vacuum Service, Inc. is authorized to transfer to S. A. Gilliard the equipment and other property set forth and described in the agreement attached to Application No. 39908 as Exhibit E.

(4) Applicant John C. Moody is authorized to transfer to S. A. Gilliard the operative rights granted by said Decision No. 50476 for the sum of \$500 cash.

(5) On not less than five days' notice to the Commission and to the public, effective concurrently with the consummation of the transfer authorized in paragraph (4) hereof, 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 John C. Moody has withdrawn or canceled and S. A. Gilliard has adopted or established as his 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.

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

Dated at San Francisco, California, this 5th day of July, 1958.

E. L. Fox
President
John E. [unclear]
John [unclear]
William [unclear]
Theodore Jenner
Commissioners