

ORIGINALDecision No. 59293

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 BURNELL H. RICHARDS, doing business)
 as RICH SAND SERVICE CO., and)
 BURNELL H. RICHARDS and HOWARD)
 SANDAGE, partners doing business as)
 RICH SAND SERVICE CO., for author-)
 ity for the former to transfer, and)
 the latter to acquire, certain)
 operative rights, equipment and)
 other property.)

Application No. 41590

O P I N I O N

Burnell H. Richards, doing business as Rich Sand Service Co., requests authority to transfer and Burnell H. Richards and Howard Sandage, a co-partnership doing business as Rich Sand Service Co., request authority to acquire operative rights as a petroleum irregular route carrier and certain property.

The operative rights include authority for the transportation of petroleum and petroleum products in vacuum type trucks between all points and places in the Counties of San Luis Obispo, Monterey, San Benito and Santa Cruz and also between said counties and other points in California when said service either originates in or is destined to said counties and is performed for customers of applicant seller located in said counties.

It is alleged that Howard Sandage was employed to manage the business with the understanding between applicant Richards and said Howard Sandage that the latter would be given a one-half interest in said business and its assets; that pursuant to such verbal understanding the partners desire to transfer without consideration the certificate and all of the assets of said business to

the partnership of Burnell H. Richards and Howard Sandage, doing business as Rich Sand Service Co.

After consideration the Commission is of the opinion and so finds that the proposed transfer would not be adverse to the public interest. A public hearing is not necessary.

O R D E R

Application having been filed and the Commission being informed in the premises,

IT IS ORDERED:

1. That, on or before April 1, 1960, Burnell H. Richards may transfer and Burnell H. Richards and Howard Sandage may acquire the certificate and property described in the application.

2. That, within thirty days after the consummation of the transfer herein authorized, the purchasers shall notify the Commission, in writing, of that fact and within said period shall file with the Commission a true copy of any bill of sale or other instrument of transfer which may be executed to effect said transfer.

3. That, on not less than five days' notice to the Commission and to the public, effective concurrently with the consummation of such transfer, applicants shall amend or reissue the tariffs on file with the Commission, naming rates, rules and regulations governing the common carrier operations here involved, to show that Burnell H. Richards has withdrawn or canceled, and Burnell H. Richards and Howard Sandage have adopted or established as their own, said rates, rules and regulations. The tariff filings made pursuant to this order shall comply 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 24th day of November, 1959.

George R. B. B.
President
W. H. B. B.
W. H. B. B.
E. L. B. B.
W. H. B. B.
Commissioners