

ORIGINALDecision No. 59596

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
 WALTER KNOUSE, an individual, to sell,
 and of DANNY M. CAMPBELL, an individ-
 ual doing business as CAMPBELL TRUCK
 CO., to purchase, a petroleum irregu-
 lar route certificate of public con-
 venience and necessity between all
 points in the State of California,
 pursuant to Sections 851-853 of the
 California Public Utilities Code.

Application No. 41765

O P I N I O N

By this application filed December 17, 1959, Danny M. Campbell requests authority to purchase and Walter Knouse seeks authority to sell equipment and operative rights as a petroleum irregular route carrier as defined by Section 214 of the Public Utilities Code. Both applicants hold permits issued by this Commission which are not involved in the proposed transfer. The certificate of public convenience and necessity requested to be transferred was issued by Decision No. 44453, dated June 27, 1950, in Application No. 31089.

Mr. Knouse has been operating from Wilmington as his headquarters with a total operating revenue for the first 10 months of 1959 of \$10,230.07. His net revenue for the same period was \$5,224.63 after paying for insurance \$1,340.24 and for taxes and licenses \$829.01, in addition to operative and other expenses. Mr. Campbell will operate from Oxnard. He proposes to pay \$1,000 for operative rights and \$4,500 for the operative equipment, all in cash. On December 17, 1959, copies of the application were served on the competitors based in Ventura County. No one has filed a protest.

Applicants allege that the transfer will be in the public interest as the purchaser is experienced and has sufficient assets to carry on a more extensive operation and therefore can better meet the public needs. The Commission is of the opinion and finds that the proposed transfer will not be adverse to the public interest. A public hearing does not appear to be required. The action taken herein shall not be construed to be a finding of the value of the operative rights herein authorized to be transferred. Danny M. Campbell is hereby placed upon notice that operative rights, as such, do not constitute a class of property which may be capitalized or used as an element of value in rate fixing for any amount of money in excess of that originally paid to the State as the consideration for the grant of such rights.

O R D E R

Application therefor having been filed and the Commission being fully advised,

IT IS ORDERED:

1. That Walter Knouse may transfer to Danny M. Campbell, who is authorized to acquire, the operative rights granted by Decision No. 44453, and equipment, all in accordance with the contract attached to the application as Exhibit A.
2. That, within thirty days after the completion of the transfer herein authorized, Danny M. Campbell shall notify the Commission thereof in writing and within said period shall file with it true copies of the instruments executed to effect such transfer.
3. That applicants, effective concurrently with the consummation of such transfer, and on not less than five days' notice to the

Commission and the public, shall amend tariffs on file with the Commission naming rates, rules and regulations governing the operations here involved to show that Walter Knouse has withdrawn and that Danny M. Campbell has adopted or established as his own said rates, rules and regulations.

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

Dated at San Francisco, California, this 1st day of February, 1960.

Ernest B. Deane
President
John E. Deane
Michael Deane
E. L. Fox
Theodore Deane
Commissioners