

ORIGINALDecision No. 60149

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of SAN DIEGO TRANSIT SYSTEM, a corporation, to sell, and WILLINGHAM BUS LINES, INC., to buy, certain of the operating rights of San Diego Transit System authorizing "on call" service between points in San Diego Transit System's service area and Camp Cuyamaca and Camp Palomar in the County of San Diego.

Application
No. 41940

O P I N I O N

San Diego Transit System and Willingham Bus Lines, Inc., (hereinafter respectively referred to as Seller and Buyer) seek authority to transfer certain passenger stage operating rights authorizing "on call" service between schools and other points in the San Diego area and Camp Cuyamaca and Camp Palomar (Decisions Nos. 55090 and 57243). No other operating rights or property is involved in this proposed sale as Buyer owns, operates and maintains adequate equipment for the operation of said service. No change in fares, routes or manner of operation is contemplated.

Seller wants to discontinue service to said camps because the operation has not been compensatory. On the other hand Buyer, because it conducts extensive charter bus operations and has a similar certificated passenger stage service to Camp Davidson (Decisions Nos. 56755 and 59451) is of the opinion that it can operate the three camp services at a profit.

As of December 31, 1959 Buyer's financial condition was as follows:

Assets	\$218,337.74
Liabilities	<u>203,649.78</u>
Net Worth	\$ 14,687.96

Represented by:

	(1)	
Capital Outstanding		\$20,000.00
Deficit		<u>5,312.04</u>
		\$ 14,687.96

The consideration for said operating rights is \$250.00 cash payable ten days after the effective date of the Commission's order.

The application is not opposed and it appearing that Buyer is able and willing to continue the service and that the proposed transfer is not adverse to the public interest the Commission finds that public convenience and necessity require that the application be granted. A public hearing is not deemed necessary. The action taken herein shall not be construed to be a finding of value of the operating rights authorized to be transferred.

(1)

Pursuant to a permit issued by the Division of Corporations 200 shares of the par value of \$100 each were issued on September 28, 1959, and are now outstanding. They are held by Julius, Robert, and William Penn and Leonard Zlotoff in equal amounts of 50 shares. This stock issuance was prior to the time Buyer acquired its "public utility" operating rights under Decision No. 59451 dated December 29, 1959.

O R D E R

Application having been made, the Commission being fully advised in the premises and having found as hereinabove set forth,

IT IS ORDERED

(1) That San Deigo Transit System, a corporation, may sell and transfer, on or before sixty days after the effective date of the order, to Willingham Bus Lines, Inc., a corporation, the operating authority hereinabove described, said sale to be made substantially upon the terms and conditions as set forth in the agreement of sale filed as Exhibit "D" with this application, and Willingham Bus Lines, Inc., may acquire said operating authority and shall continue the transportation service in the manner and subject to the restrictions and conditions as set forth in Appendix A of Decision No. 57243.

(2) That within sixty days after the effective date hereof, and 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 tariffs on file with the Commission, naming fares, rules and regulations governing the operations involved in the preceding ordering paragraph (1) to show that San Diego Transit System, a corporation, has withdrawn and Willingham Bus Lines, Inc., a corporation, has adopted as its own said fares, rules and regulations pertaining to the operating rights herein authorized to be transferred.

(3) That in the event the authority herein granted is exercised, Willingham Bus Lines, Inc., shall notify the Commission in writing of the fact within thirty days after the date of the transfer.

(4) That San Diego Transit System may incorporate Fifth Revised Page 2 in Appendix A of Decision No. 55090, and may cancel First Revised Pages 32 and 33 thereof as set forth in Appendix A attached hereto and made a part hereof.

The effective date of this order shall be the date hereof.

Dated at San Francisco, California,
this 21th day of May, 1960:

[Signature]
President

[Signature]

[Signature]

[Signature]

Commissioners

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Issued by California Public Utilities Commission

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