

Decision No. 60576**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
 ARTHUR W. BAXTER, an individual, to )  
 sell and transfer a certain certifi- )  
 cate of public convenience and ) Application No. 42293  
 necessity to E. D. HARDY and )  
 E. M. HARDY, co-partners doing busi- )  
 ness as HARDY TRUCKING CO. )

O P I N I O N

Arthur W. Baxter requests authority to sell and transfer and E. D. Hardy and E. M. Hardy, doing business as Hardy Trucking Co., request authority to purchase and acquire certain highway common carrier operative rights for a cash consideration of \$2,000. Said amount assertedly represents less than the cost of acquisition.

The rights to be transferred authorize the transportation of specified commodities between the San Francisco and Los Angeles territories pursuant to Decision No. 55380 dated August 15, 1957 in Application No. 36385.

It is alleged that seller's operation principally involves the performance of service for a single large shipper and that said shipper has informed seller that it desires his service on a permitted basis rather than on a certificated basis.

As of December 31, 1959, buyers indicated a net worth of \$77,837.71 and realized a net profit of \$15,533.45 for the year 1959.

After consideration the Commission is of the opinion that the proposed sale 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:

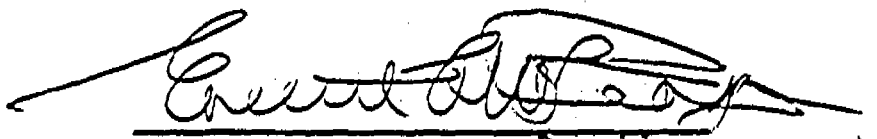
1. That on or before October 15, 1960 Arthur W. Baxter may sell and transfer and E. D. Hardy and E. M. Hardy may purchase and acquire the operative rights granted by Decision No. 55380, according to the terms specified in Exhibit A attached to the application.

2. That, within thirty days after the consummation of the transfer herein authorized, the purchasers shall notify the Commission, in writing, 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.

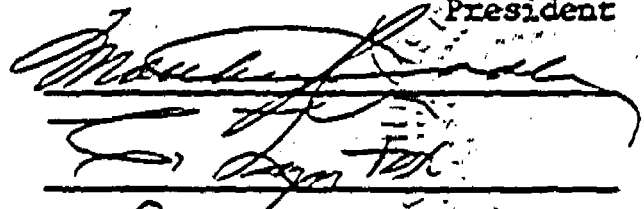
3. That, on not less than five days' notice to the Commission and to the public, effective concurrently with the consummation of the transfer applicants shall amend or reissue the tariff on file with the Commission, naming rates, rules and regulations governing the common carrier operations here involved, to show that Arthur W. Baxter has withdrawn or canceled, and that E.D. Hardy and E. M. Hardy, 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.

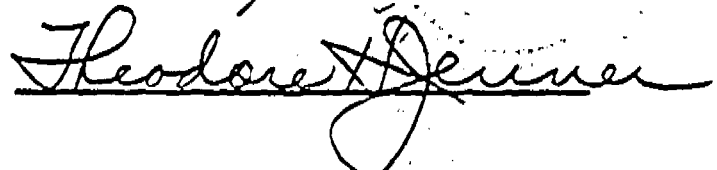
The effective date of this order shall be twenty days after the date hereof.

Dated at San Francisco, California, this 16th day of August, 1960.



President





Commissioners