

ORIGINALDecision No. 61230

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 (a) HARDING'S FREIGHT SERVICE, a)
 corporation, to purchase, and)
 of ROBERT F. HARDING, an indi-)
 vidual, doing business as)
 Harding's Freight Service, to)
 sell a certificate of public)
 convenience and necessity for)
 the transportation of general)
 commodities between various)
 points in San Diego County,)
 pursuant to Sections 851-853 of)
 the California Public Utilities)
 Code;)
 (b) HARDING'S FREIGHT SERVICE, a)
 corporation, to issue shares of)
 its common capital stock, pur-)
 suant to Sections 816-830 of)
 the California Public Utilities)
 Code.)

Application No. 42839

O P I N I O N

Robert F. Harding, doing business as Harding's Freight Service, and presently rendering service as a highway common carrier between all points and places in the western portion of San Diego County, has recently incorporated and requests authority to transfer his business to Harding's Freight Service, the newly formed corporation. The corporation requests authority to issue 1,750 shares of its common capital stock, at a par value of \$10 a share.

The issuance of the stock to Robert F. Harding represents the consideration for the assets to be transferred which had a total book value of \$21,685.40 as of September 30, 1960, subject to certain liabilities as of the same date in the amount of \$4,185.40.

It is alleged that the corporation will continue to conduct the motor carrier operation without interruption of service; that

there will be available to the public all of the motor vehicle equipment of Robert F. Harding along with such other assets, including cash, as are necessary to continue the business on a sound basis; that Robert F. Harding as the president and as a director of the corporation, will continue to participate in the management of the common carrier service.

After consideration, the Commission finds and concludes that the proposed transfer would not be adverse to the public interest and that the money, property or labor to be procured or paid for by the issue of the stock herein authorized is reasonably required for the purpose specified herein, and that such purpose is not, in whole or in part, reasonably chargeable to operating expenses or to income. 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 March 1, 1961, Robert F. Harding may sell and transfer and Harding's Freight Service may purchase and acquire the operative rights granted by Decision No. 60337 in Application No. 41421, as well as the property specified in the application.

2. That, within thirty days after the consummation of the transfer herein authorized, the purchaser 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 tariffs on file

with the Commission, naming rates, rules and regulations governing the common carrier operations here involved, to show that Robert F. Harding has withdrawn or canceled, and that Harding's Freight Service has adopted or established as its 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.

4. That after the effective date hereof and on or before March 1, 1961, Harding's Freight Service may issue not to exceed \$17,500 par value of its capital stock for the purpose heretofore specified.

5. That Harding's Freight Service shall file with the Commission a report, or reports, as required by General Order No. 24-A, which order, in so far as applicable, is made a part of this order.

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

Dated at San Francisco, California, this 20th day of December, 1960

[Signature]
President
[Signature]
[Signature]
[Signature]
Theodore J. James
Commissioners