

Decision No. 61927**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
 Gwendolyn A. Morasca, executrix of
 the estate of Louis A. Morasca, de-
 ceased, for an order authorizing the
 transfer of a certificate of public
 convenience and necessity to Gwendolyn
 A. Morasca.

Application No. 43178

O P I N I O N

Gwendolyn A. Morasca, as executrix of the estate of Louis A. Morasca, deceased, filed her application on February 24, 1961, requesting that the highway common carrier operative right issued to the deceased by Decision No. 51901 in Application No. 35939, be transferred to said applicant as an individual. The application does not request authority to transfer any tangible property to Mrs. Morasca.

This application had attached to it, as Exhibit A, a certified copy of the order of the Superior Court in and for the County of Santa Cruz, entitled "Decree Settling First and Final Account, and of Final Distribution" which indicated that the proposed transferee had advanced from her own funds the sum of \$1,348.63 for the amount of a deficit shown by her account. This order further approved her final account and adjudged that the property of the estate consisting of personal property other than cash be distributed to her. This personal property is described as the cash surrender value, in an unspecified amount, of a life insurance policy and 16 pieces of trucking equipment and accounts receivable and miscellaneous office equipment.

In connection with this problem the Commission takes official notice of its Decision No. 61047, dated November 15, 1960,

suspending the operative rights here involved because no insurance was on file and of its Decision No. 61631, dated March 7, 1961 revoking such suspension and finds therefrom and from the allegations and information submitted with Application No. 43178 that L. A. Morasca to whom the certificate of public convenience and necessity was granted is now deceased and that applicant Gwendolyn A. Morasca is the Executrix of his estate, and as his surviving wife and sole legatee and the devisee is entitled and should be permitted upon a proper showing to carry on operations under such operative rights.

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 of the opinion that the application should be granted,

IT IS ORDERED:

1. That on or before July 1, 1961, Gwendolyn A. Morasca, Executrix of the Estate of Louis A. Morasca, may sell and transfer, and Gwendolyn A. Morasca may purchase and acquire, the operative rights referred to in the application.

2. That on not less than five days' notice to the Commission and to the public, effective concurrently with the consummation of such transfer, applicant shall amend or reissue the tariffs on file with the Commission, naming rates, rules and regulations governing the operations here involved to show that Gwendolyn A. Morasca, Executrix of the Estate of Louis A. Morasca, has withdrawn or canceled, and Gwendolyn A. Morasca has adopted or established as her 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 1st day of May, 1961.

Charles R. Page
President
W. E. Litchell
E. J. Fox
George F. Hoover
Fredrick B. Holcomb
Commissioners