

**ORIGINAL**

Decision No. 62435

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application  
of POZAS BROS. TRUCKING CO., a  
corporation, for authority to  
sell and issue stock

Application No. 43648  
Filed August 2, 1961

O P I N I O N

Pozas Bros. Trucking Co., applicant herein, is a California corporation which is engaged in business as a highway common carrier of property, its operations extending generally between the San Francisco Bay Territory and the Los Angeles Basin Territory. In this application it seeks authorization to issue and sell not to exceed 1,000 shares of its common stock.

The carrier was organized on or about January 12, 1955, and heretofore has issued, and now has outstanding, 3,732 shares of stock which have a par value of \$10 each and a book value, as of December 31, 1960, of \$43 each. The application shows that the outstanding shares are held in equal proportions by Emile Pozas and Florencio Pozas and that these individuals desire George Pozas, who is employed by applicant in a managerial capacity, to become associated in the enterprise as a shareholder. It is contemplated that George Pozas will acquire the 1,000 shares at their book value of \$43 a share and it is proposed that 302 of such shares will

be issued to him forthwith in cancellation of advances of \$12,986 which he has made to the corporation for working capital and that the remaining 698 shares will be sold to him over a period of two years.

The carrier's financial position as of December 31, 1960, as reflected by its balance sheet filed as Exhibit A, is indicated in the following condensed statement:

<u>Assets</u>		
Current assets		\$ 41,184
Intangible capital		250
Tangible capital		242,230
Other investments		<u>35,770</u>
Total		<u>\$319,434</u>
<u>Liabilities and Capital</u>		
Current liabilities, including equipment obligations due within one year		\$ 89,537
Long-term equipment obligations		64,522
Reserves		4,444
Equity capital -		
Common stock	\$ 37,320	
Premiums	2	
Earned surplus	<u>123,609</u>	<u>160,931</u>
Total		<u>\$319,434</u>

The company's financial statements indicate net amounts carried to surplus at \$29,930 in 1958, \$33,210 in 1959 and \$41,369 in 1960.

Upon reviewing this matter, we find and conclude 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 purposes specified herein, that such purposes are not, in whole or in part, reasonably chargeable to operating expenses or to income and that the application should be granted.

The authorization herein given should not be construed to be a finding by the Commission of the value of applicant's shares of stock.

O R D E R

The Commission having considered the above-entitled matter and being of the opinion that a public hearing is not necessary,

IT IS ORDERED that -

1. Pozas Bros. Trucking Co., on or after the effective date hereof and on or before December 31, 1963, may issue not to exceed 1,000 shares of its common stock at not less than \$43 a share for the purpose of providing working capital and of liquidating indebtedness.

2. Pozas Bros. Trucking Co. shall file with the Commission a report, or reports, as required by General Order No. 24-A, which order, insofar as applicable, is made a part of this order.

3. The authority herein granted shall become effective on the date hereof.

Dated at San Francisco, California,  
this 22nd day of August, 1961.

Robert H. Fox  
President

W. E. Mitchell

E. J. Fox

George E. Brewer

Fredrick B. Hollhoff  
Commissioners