

ORIGINAL

Decision No. 62781

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of FRANK MOORE and KENNETH MOORE, a copartnership, doing business as MOORE TRUCK LINES, for a certificate of public convenience and necessity to operate as a highway common carrier between certain intermediate points on the presently certificated routes together with off-route points of San Francisco, Livermore and Richmond.

Application No. 40966

In the Matter of the Application of FRANK L. MOORE and JERRE R. MOORE, a copartnership, doing business as MOORE TRUCK LINES to make permanent the operating authority granted by Decision No. 60627 of the Public Utilities Commission of the State of California.

Application No. 43817

O P I N I O N

The Commission granted to Frank L. Moore and Jerre R. Moore a certificate of public convenience and necessity as a highway common carrier by Decision No. 60627 dated August 23, 1960 in Application No. 40966. This certificate was limited to a term of one year because the question of the ownership of Moore Truck Lines was being litigated in the courts.

This litigation reached the District Court of Appeal and was resolved by that tribunal in a decision that has since become final (Moore v Moore, 190 ACA 165). This decision required the payment of a sum of money to an excluded partner, Kenneth R. Moore. The present application alleges that this sum has been paid. A fourth partner, Kenneth M. Smith, has sold his interest to these applicants, Frank L. Moore and Jerre R. Moore.

It appears that Frank L. Moore and Jerre R. Moore are the adjudicated owners of this business and are in quiet possession of the assets thereof.

The Commission finds that public convenience and necessity require that the authority granted by said Decision No. 60627 should be made permanent.

A public hearing is not necessary.

O R D E R

Application having been filed and the Commission having considered the same and being fully informed in the premises,

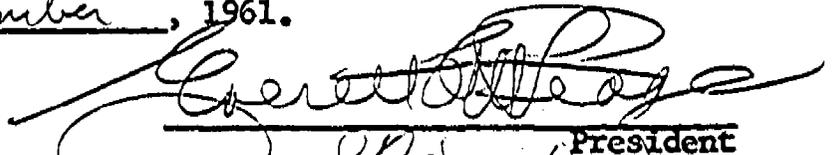
IT IS ORDERED that:

1. The certificate of public convenience and necessity granted to Frank L. Moore and Jerre R. Moore by Decision No. 60627 dated August 23, 1960 in Application No. 40966 is hereby made permanent, subject to all the notices, conditions and restrictions (except the restriction as to the term of said certificate) contained in said Decision No. 60627.
2. Said Decision No. 60627 is hereby amended by striking therefrom ordering paragraph No. 4 thereof.
3. Said Decision No. 60627 as herein amended is continued in full force and effect.
4. Within thirty days after the effective date of this order applicants shall file an amended written acceptance of the

certificate granted by said Decision No. 60627 accepting the granted authority on a permanent basis.

The effective date of this order shall be November 13, 1961.

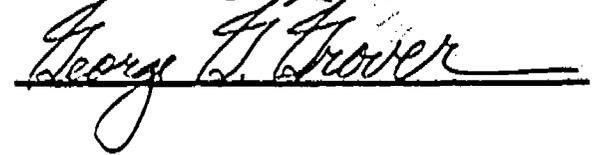
7<sup>th</sup> Dated at San Francisco, California, this day of November, 1961.



President







Commissioners

Commissioner Frederick B. Holoboff, being necessarily absent, did not participate in the disposition of this proceeding.