

Decision No. 62903

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of HARBOR REFINING COMPANY,
 a copartnership consisting of HAROLD C.
 MORTON, H. S. KOHLBUSH, CHESTER F. DOLLEY,
 LYNN MORTON, and RICHARD K. JAMISON to
 transfer operating rights and other
 public utility property to HARBOR REFINING
 COMPANY, a copartnership consisting of
 HAROLD C. MORTON and RICHARD K. JAMISON.

Application No. 43840

OPINION AND ORDER

Harold C. Morton, H. S. Kohlbush, Chester F. Dolley, Lynn
 Morton and Richard K. Jamison, copartners doing business as Harbor
 Refining Company, request authority to transfer certain highway
 common carrier operative rights and property to the newly formed
 copartnership of Harold C. Morton and Richard K. Jamison, doing
 business as Harbor Refining Company.

The operative rights were granted by Decision No. 44913,
 dated October 17, 1950, in Application No. 31211, and acquired by
 the current partnership by Decision No. 45424, dated March 6, 1951,
 in Application No. 32072. They authorize service as a petroleum
 irregular route carrier for the transportation of petroleum and
 petroleum products, in bulk, in tank trucks, between all points and
 places in the State of California.

Although the agreement is oral in nature, the application
 has been verified by each of the five individuals involved. The
 agreement provides for the transfer of office equipment, buildings,
 supplies and nine units of vehicle equipment for a consideration of
 \$39,197.21. As of August 1, 1961 the partnership indicated a
 capital investment in the amount of \$44,455.40.

After consideration the Commission finds and concludes that the proposed sale would not be adverse to the public interest, and that applicant buyers have the necessary experience and financial ability to continue service. A public hearing is not necessary.

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

IT IS ORDERED that:

1. On or before February 1, 1962, Harold C. Morton, H. S. Kohlbush, Chester F. Dolley, Lynn Morton and Richard K. Jamison, may sell and transfer, and Harold C. Morton and Richard K. Jamison may purchase and acquire, the operative rights referred to in the preceding opinion, as well as the property referred to in the application.

2. 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. 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 petroleum irregular route carrier operations here involved, to show that Harold C. Morton, H. S. Kohlbush, Chester F. Dolley, Lynn Morton and Richard K. Jamison have withdrawn or canceled, and that Harold C. Morton and Richard K. Jamison 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 Los Angeles, California, this 14 day of December, 1961.

[Signature]
President

[Signature]

George H. Grover

Fredrick B. Halshoff

Commissioners

Commissioner Peter E. Mitchell, being necessarily absent, did not participate in the disposition of this proceeding.