

ORIGINAL

Decision No. 63154

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of  
EARL W. SUMMERS and RAY E. SUMMERS,  
a partnership dba North Coast Transport  
of Fortuna, to transfer their radial  
highway common carrier permit (Appl.  
No. 12-2396), to North Coast Transport,  
Inc., (File No. T-72,007).

Application No. 44109

Investigation on the Commission's  
own motion into the operations,  
rates, and practices of RAY and  
EARL SUMMERS, copartners, doing  
business as NORTH COAST TRANSPORT.

Case No. 6368

ORDER TRANSFERRING PERMIT  
AND SUBSTITUTING RESPONDENTS  
IN COMMISSION INVESTIGATION

Earl W. Summers and Ray E. Summers are partners and presently operating as a radial highway common carrier under the name of North Coast Transport. The partnership presently holds Radial Highway Common Carrier Permit No. 12-2396.

The Summers have decided, for business reasons, to change their mode of doing business from a partnership to a corporation. Application No. 44109 seeks authority to transfer Permit No. 12-2396 from the partnership to a corporation known as North Coast Transport, Inc.

There is presently pending before the Commission Case No. 6368, an investigation on the Commission's own motion into the operations, rates and practices of Ray and Earl Summers, copartners, doing business as North Coast Transport.

North Coast Transport, Inc., has filed with the Commission a certified copy of a resolution by its board of directors which takes note of the pending investigation in Case No. 6368 and binds the corporation to accept any penalty which may be assessed in the proceeding based upon the conduct of the partnership prior to incorporation.

In the circumstances, the proposed transfer appears to be for legitimate business reasons and will not thwart the jurisdiction of the Commission in Case No. 6368.

The Commission finds that a public hearing is not necessary in Application No. 44109 and that the transfer of Radial Highway Common Carrier Permit No. 12-2396 from Earl W. Summers and Ray E. Summers to North Coast Transport, Inc., a California corporation, is not adverse to the public interest.

The Commission further finds that North Coast Transport, Inc., should be substituted as the respondent in Case No. 6368 in place of Earl W. Summers and Ray E. Summers.

IT IS ORDERED that:

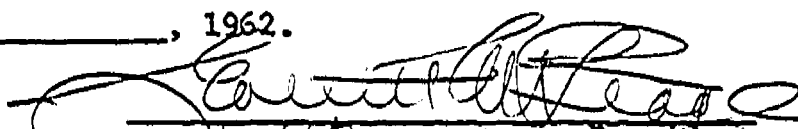
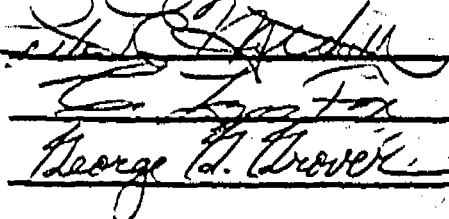
1. Radial Highway Common Carrier Permit No. 12-2396 is hereby transferred from Earl W. Summers and Ray E. Summers to North Coast Transport, Inc., a California corporation.

2. North Coast Transport, Inc., a California corporation, is hereby substituted as the respondent in Case No. 6368 in the stead of Earl W. Summers and Ray E. Summers.

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

Dated at San Francisco, California, this

23rd day of JANUARY, 1962.

  
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President  
  
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George A. Crowe

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