

ORIGINALDecision No. 63498

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of HENRY STOVALL, doing business as HENRY'S FREIGHT LINES, and the UNITED STATES (INTERNAL REVENUE SERVICE), to Sell, and JAMES L. CHASE, doing business as KERN VALLEY TRANSFER, to Buy Operative Rights.

Application
No. 43901

ORDER MODIFYING DECISION NO. 63300 and
DENYING REHEARING

A petition for rehearing of Decision No. 63300, having been filed by the applicant Henry Stovall, the Commission having considered said petition and each and every allegation therein and being of the opinion that no good cause for rehearing has been made to appear, but that its order in said decision should be modified in part, IT IS ORDERED as follows:

1.. Decision No. 63300 is modified to delete ordering paragraphs 4 and 5 thereof and to substitute the following new paragraphs 4 and 5:

"4. Effective concurrently with the effective date of tariff filings required by paragraph 3 hereof, all rights to operate as a highway common carrier, as defined in Section 213 of the Public Utilities Code, granted heretofore and hereby to James L. Chase, shall be solely those more particularly described in Appendix A, attached hereto and made a part hereof; Appendix A of Decision No. 61846, as amended, is further amended by incorporating therein Third Revised Page 1, attached hereto, in revision of Second Revised Page 1.

"5. Before providing service pursuant to the rights to be transferred as authorized by paragraphs 1 and 4 hereof, James L. Chase shall file with this Commission a written acceptance of such rights."

2. Decision No. 63300 is further modified to add the following new paragraph 5A:

"5A. Effective concurrently with the effective date of the tariff filings required by paragraph 3 hereof, Decision No. 62535, suspending the certificate of public convenience and necessity previously granted to Henry Stovall, and dated September 5, 1961, shall be vacated."

3. Rehearing of Decision No. 63300, as amended, is denied.

Dated at San Francisco, California, this 3rd day of APRIL, 1962.

Everett R. Payne

 President
George T. Hoover

Fredrick B. Hillhoff

 Commissioners

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