

acquire such businesses, including the operation of the radiotelephone utility.

The radiotelephone utility authorized to Seller is alleged to consist of: (1) a two-way station, call sign KMD683, together with the associated rural subscriber stations KNE69, KMG50, and KMU51; and (2) a one-way station, call sign KME437. Seller provides two-way radio service to twenty mobile units of the public and to three associated rural subscriber stations, and one one-way radio service to paging receivers of public subscribers. Seller has filed applications with the Federal Communications Commission for authority to assign its radio station authorizations to Buyer. Included in these authorizations for radio stations there appear to be some which are not used in the operations of the radiotelephone utility.

Contingent upon the authorization by the Federal Communications Commission of the assignment to Buyer of the radio station authorizations, Buyer has agreed to pay \$6,650.00 for this sale and assignment. The original cost of the radio equipment is alleged to be \$7,572.78. Although the application lists the radio equipment to be sold, the showing is inconclusive as to the equipment used and useful in the operations of the radiotelephone utility. No showing was made as to the original, book, or net cost of utility property; nor was a showing made as to the amount to be paid for utility property.

The staff of the Commission inspected the property involved in this transfer and interviewed Buyer. The memorandum, dated April 18, 1962, setting forth the results of this investigation is identified and hereby received in evidence in this proceeding as Exhibit No. 1. This exhibit states that Buyer had not acquired records indicating accrued depreciation.

The authorization herein granted shall not be construed as a finding of the value of the rights and equipment nor as a determination that the amounts referred to herein will be accepted as proper bases for an order authorizing the issue of securities.

After consideration the Commission finds that the proposed transfer would not be adverse to the public interest and concludes that the application should be granted. A public hearing is not necessary.

IT IS HEREBY ORDERED that:

1. Harley Anthis and Esther Anthis, doing business as Anthis Answering Service, may, on or after the effective date hereof, and on or before January 1, 1963, sell, assign and dispose of its radio-telephone utility facilities to Fox & Munson, Inc., in accordance with the terms and conditions contained in the "Contract of Purchase and Sale" attached to this application.
2. As a condition of the authority herein granted, Fox & Munson, Inc., is directed to continue the public utility responsibilities of Harley Anthis and Esther Anthis, doing business as Anthis Answering Service, with respect to the area served by the properties being transferred.
3. The tariffs of Harley Anthis and Esther Anthis, doing business as Anthis Answering Service, now on file with this Commission, shall be refiled within thirty days from the date of actual transfer under the name of Fox & Munson, Inc., in accordance with the procedure prescribed by General Order No. 96-A, or, in lieu of such refiling, Fox & Munson, Inc., may file a notice of adoption of said presently filed tariffs. No increases in the presently filed tariffs shall be made unless authorized by this Commission.
4. On or before the date of actual transfer of the specific properties herein authorized, Harley Anthis and Esther Anthis, doing business as Anthis Answering Service, shall transfer and deliver to

Fox & Munson, Inc., and the latter shall receive and preserve all records, memoranda and papers pertaining to the construction and operation of the radiotelephone utility authorized to be transferred.

5. If the authority herein granted is exercised, Fox & Munson, Inc., shall, within thirty days thereafter, file with this Commission the journal entries by which it would propose to record the acquisition of the radiotelephone utility properties herein authorized together with a statement of the method of determining the original or historical cost of the items of plant used and useful in the operations of the radiotelephone utility, together with a statement of the method of determining the amount of depreciation accrued as of the date of the transfer.

6. If the authority herein granted is exercised, Fox & Munson, Inc., shall, within thirty days thereafter, notify this Commission in writing of the date of such completion of the property transfer herein authorized and of its compliance with the conditions hereof.

The effective date of this order shall be twenty days after the date hereof.

Dated at San Francisco, California, this 28th day of MAY, 1962.

Charles H. Deane
 President

J. L. Hill

F. Lynn Fox

George H. Hoover

Fredrick B. Hobbs
 Commissioners