

ORIGINALDecision No. 63991

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 CHARLES MEEK, an individual doing)
 business as C & M TRUCKING COMPANY,)
 to sell, and TRANSCON LINES, a)
 California corporation, to purchase)
 a certificate of public convenience)
 and necessity.)

Application No. 44582

O P I N I O N

Charles Meek, doing business as C & M Trucking Company, requests authority to sell and transfer and Transcon Lines, requests authority to purchase and acquire certain highway common carrier operative rights and good will.

The rights were granted by Decision No. 59766, dated March 8, 1960, in Application No. 41733 and authorize the transportation of general commodities in the San Francisco Territory and certain adjoining lateral territory, and the transportation of sugar, with exceptions, between San Francisco, Spreckels, Salinas and Manteca, on the one hand, and San Jose, on the other hand.

Applicant purchaser is a corporation presently authorized to transport general commodities between the San Francisco Territory and the Los Angeles Territory and points and places in Southern California. In addition thereto it operates in interstate commerce. As of February 28, 1962, said applicant and its wholly owned subsidiary indicated a net worth in the amount of \$4,906,000. For the two months ending February 28, 1962, they indicated a net income after income taxes in the amount of \$67,000.

The agreed consideration for the transfer is \$30,000, payable \$8,700 on the consummation date and the balance of \$21,300

with interest at the rate of five percent per annum, on the first business day after January 1 of the next succeeding year after consummation.

It is alleged that applicant seller wishes to discontinue operations as a highway common carrier because of increasing business pressures and demands and because of his doctor's advice to reduce his activities.

In order to consummate the transfer as soon as possible and thereby save certain duplicating costs it is requested that the order become effective in ten days, tariffs published on five days' notice and transfer completion within one hundred twenty days of the effective date of the order.

After consideration the Commission finds and concludes that the proposed transfer will not be adverse to the public interest and that applicant purchaser has the necessary experience and financial ability to conduct the proposed service. A public hearing is not necessary.

O R D E R

Application having been filed and the Commission having determined that the application should be granted,

IT IS ORDERED that:

1. On or before December 1, 1962, Charles Meek may sell and transfer, and Transcon Lines may purchase and acquire, the operative rights referred to in the application.
2. Within thirty days after the consummation of the transfer herein authorized, Transcon Lines shall notify the Commission, in writing, of that fact 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. Applicants shall amend or reissue the tariffs on file with the Commission, naming rates, rules and regulations governing the common carrier operations here involved to show that Charles Meek has withdrawn or canceled, and Transcon Lines has adopted or established, as its own, said rates, rules and regulations. The tariff filings shall be made effective not earlier than five days after the effective date of this order on not less than five days' notice to the Commission and the public, and the effective date of the tariff filings shall be concurrent with the consummation of the transfer herein authorized. The tariff filings made pursuant to this order shall comply in all respects 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 ten days after the date hereof.

Dated at San Francisco, California, this 24th day of JULY, 1962.

George E. Crover
President
John Mitchell
Samuel H. Page

Commissioners

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