

ORIGINALDecision No. 65228

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of B & H SERVICE, a copartnership of J. T. HUTCHISON and T. R. BELLOMY to sell to J. T. HUTCHISON, doing business as B & H SERVICE, to purchase a certificate of public convenience and necessity to operate as a petroleum irregular route carrier in the transportation of petroleum products between various points in the Counties of Santa Barbara, San Luis Obispo and Monterey in the State of California pursuant to the provisions of Sections 851-853 of the California Public Utilities Code.

Application No. 45202
(Filed February 26, 1963)

O P I N I O N

J. T. Hutchison and T. R. Bellomy, copartners, doing business as B & H Service, presently operate as a petroleum irregular route carrier for the transportation of petroleum between points in the Counties of Santa Barbara, San Luis Obispo and Monterey. Applicants are in the process of dissolving the partnership and request authority to sell and transfer the assets of the partnership, including the operating authority, to J. T. Hutchison.

The operating authority was acquired by the partnership by Decision No. 62106 in Application No. 43290. According to the terms of the agreement, a copy of which is attached to the application, the consideration for the transfer is based upon the willingness of J. T. Hutchison to pay all outstanding partnership liabilities.

After consideration the Commission finds that the proposed sale would not be adverse to the public interest. The

authorization herein granted shall not be construed as a finding of the value of the rights and properties herein authorized to be transferred. A public hearing is not necessary.

O R D E R

IT IS ORDERED that:

1. On or before December 1, 1963, J. T. Hutchison and T. R. Bellomy may sell and transfer, and J. T. Hutchison may purchase and acquire, the operative rights and property referred to in the application.

2. Within thirty days after the consummation of the transfer herein authorized, J. T. Hutchison 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. J. T. Hutchison shall amend or reissue the tariffs on file with the Commission, naming rates, rules and regulations governing the common carrier operations herein to show that he has adopted or established, as his own, said rates, rules and regulations. The tariff filings shall be made effective not earlier than thirty days after the effective date of this order on not less than thirty 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-A.

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

Dated at San Francisco, California, this 16th day of APRIL, 1963.

George H. Crover
President
Robert C. Ditchburn
Wesley W. DeLoach
Frederick B. Holehoff
William M. Bennett
Commissioners