

ORIGINAL

Decision No. 66607

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
Merchants Express of California, a )  
corporation, to transfer operating )  
rights to Union Transportation )  
Company, a corporation. )

Application No. 43733

ORDER DISMISSING APPLICATION

The applicant Merchants Express of California, hereinafter sometimes called Merchants, by the application herein has requested authority to transfer to Union Transportation Company certain operating rights created by Decision No. 46643 in Application No. 31045 and transferred to Merchants pursuant to Decision No. 50635 in Application No. 35760, which operating rights were duplicates of a portion of the more extensive operating rights Merchants has since acquired pursuant to Decision No. 54424 in Application No. 38601.

By Decision No. 63984, as amended by Decisions Nos. 65672 and 65948, in Application No. 44177, this Commission granted an in-lieu certificate to Merchants and revoked all existing highway common carrier certificates previously granted to or acquired by Merchants except the certificates authorizing the transportation of petroleum or petroleum products in tank trucks or tank trailers.

First Revised Page 4 of Appendix A of said Decision No. 63984, as so amended, contains the following restriction:

"To the extent of any duplication of operative rights set forth in this appendix, such operative rights may not be separated to permit Merchants Express of California to sell or transfer one certificate authority and retain another certificate authority to perform the same service."

Therefore, IT IS ORDERED that the application herein is dismissed.

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

Dated at San Francisco, California, this 14<sup>th</sup> day of JANUARY, 1964.

William L. Bennett  
President

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W. E. H. H. H.

George L. Trover

Fredrick B. Halshoff  
Commissioners