

ORIGINAL

Decision No. 66954

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
I M L EXPRESS, a corporation, and)
DELTA LINES, INC., a corporation,)
for authority of I M L EXPRESS to)
transfer operating rights to DELTA)
LINES, INC.)

Application No. 45897
(Filed October 23, 1963)

O P I N I O N

I M L Express, a corporation, requests authority under Section 851 of the Public Utilities Code to transfer to Delta Lines, Inc., for a cash consideration of \$10,000, all of the express authority held by the former, including the authority encompassed in Decision No. 56437, dated April 1, 1958, in Application No. 39487, which was transferred to Interstate Motor Lines, Inc., pursuant to Decision No. 64095, dated August 2, 1962, in Application No. 42265, and which was further transferred to I M L Express in Decision No. 64488, dated November 7, 1962, in Application No. 44803. The operating authority extends generally from Rio Oso north of Sacramento to Tulare in the San Joaquin Valley and from Monterey to Novato on the coast, thence to Sacramento.

It is alleged that I M L Express is a wholly owned subsidiary of Interstate Motor Lines, Inc.; that I M L Express and its parent have concluded that these express rights are no longer of significant importance to them, and Delta Lines, Inc. is anxious to acquire and conduct operations under said rights; that Delta Lines, Inc. is a large carrier, with ample facilities and resources to conduct such operations, and is capable of providing an adequate service to the shipping and receiving public; that Interstate Motor

Lines, Inc. is engaged primarily in interstate and foreign commerce while Delta Lines, Inc., on the other hand, is engaged primarily in intrastate commerce and is thus in a better position to provide the service originally authorized by the Commission.

There have been no protests to the granting of this application.

The authorization herein granted shall not be construed as a finding of the value of the rights herein authorized to be transferred.

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

O R D E R

IT IS ORDERED that:

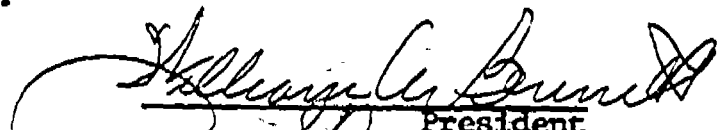

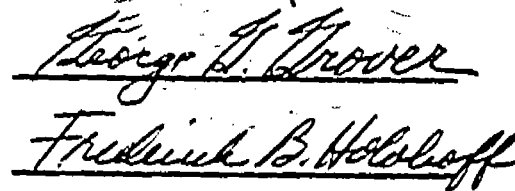
1. On or before June 30, 1964, I M L Express may sell and transfer, and Delta Lines, Inc. may purchase and acquire, the operative rights referred to in the application.
2. Within thirty days after the consummation of the transfer herein authorized, Delta Lines, Inc. shall notify the Commission, in writing, 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. Delta Lines, Inc. 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 it has adopted or established, as its 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.

4. On or before the end of the third month, after the consummation of the transfer as herein authorized Delta Lines, Inc. shall cause to be filed with the Commission, in such form as it may prescribe, an annual report, or reports, covering the period commencing with the first day of the current year to and including the effective date of the transfer.

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

Dated at San Francisco, California, this 17th day of MARCH, 1964.


President



Commissioners

Commissioner Everett C. McKeago, being necessarily absent, did not participate in the disposition of this proceeding.