

ORIGINAL

Decision No. 67368

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of AMERICAN TRANSFER CO., a corporation, for a certificate of public convenience and necessity to operate as a highway common carrier.

Application No. 43207

In the Matter of the Application of AMERICAN TRANSFER CO., a corporation, to sell, and G. A. R. TANK LINES, a corporation, to purchase, a highway common carrier certificate.

Application No. 44910

Handler, Baker & Mastoris, by Marvin Handler, for applicants.

Graham, James & Rolph, by Boris H. Lakusta and E. Myron Bull, Jr., for Blankenship Motors, Inc., California Cartage Company, California Motor Transport Co. and California Motor Express, Ltd., Constructors Transport Co., Delta Lines, Inc., Di Salvo Trucking Company; Merchants Express of California, Southern California Freight Lines, Pacific Motor Trucking Company, Shippers Express, Sterling Transit Co., Inc., Valley Express Co., and Valley Motor Lines, Inc., Willig Freight Lines, protestants.

O P I N I O N

American Transfer Co., requests authority to sell and transfer to its affiliate, G. A. R. Tank Lines, a corporation, certain highway common carrier operative rights.

A public hearing was held before Examiner Daly on January 10, 1963, at San Francisco. The matter was submitted upon briefs since filed and considered.

The certificated authority issued to American Transfer Co. was granted by Decision No. 63024, dated January 9, 1962, in Application No. 43207 and authorized the transportation of general

commodities, with the usual exceptions, between:

- (1) Fresno, on the one hand, and San Francisco, Pittsburg and Decoto, on the other hand.
- (2) San Francisco, on the one hand, and Stockton, on the other hand.
- (3) Pittsburg, on the one hand, and Pinedale, on the other hand.

The agreed cash consideration is \$500.

G. A. R. Tank Lines holds a radial highway common carrier permit confined to the transportation of property in tank trucks and tank trailers. It also holds a petroleum contract carrier permit. Applicant purchaser owns and operates 24 units of equipment.

According to Glenn Prickett, who is president of both companies, applicant seller also transports freight as a permitted carrier between many points in the San Joaquin Valley, on the one hand, and the San Francisco and Los Angeles areas, on the other hand. Such service, he testified, is performed for shippers who ship primarily in truckload lots and who have been customers of applicant seller for many years. He further testified that since certification in 1962, applicant seller has found it virtually impossible to continue to serve the few points authorized as a certificated carrier and at the same time to preserve the separate nature of its much broader service as a permitted carrier. According to the witness, applicant seller has a major problem with respect to the rating of split pickup or split delivery shipments when one point is certificated and the other is not. The witness testified that it was his understanding that the Commission prohibits a carrier from combining its permitted and certificated authorities for the purpose of providing a split pickup or split

Dissement
from

Holoboff -

not attached

