

ORIGINAL

Decision No. 67586

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of:

JAMES R. COIN

and

CHALFONT COMMUNICATIONS

For Authority to transfer Radiotelephone Common Carrier System, KMA-251, El Centro, California, together with operative rights thereto from JAMES R. COIN to CHALFONT COMMUNICATIONS.

Application No. 46715
(Filed June 10, 1964)

OPINION AND ORDER

By this application authority is sought by the seller, James R. Coin, to sell his radiotelephone common carrier system, KMA-251, El Centro, together with operating rights, to the purchaser, Chalfont Communications. Seller also proposes to include a Telephone Answering Service in the sale of his rights and facilities to purchaser.

Seller owns and operates a radiotelephone utility and in addition is engaged in offering telephone answering service, as well as radiotelephone maintenance service. Seller's service territory generally covers Imperial County. It is anticipated that seller will continue to provide maintenance service for the radiotelephone system subsequent to its sale.

Purchaser owns and operates a radiotelephone utility and, in addition, offers telephone answering service as well as other

communications services. Purchaser's service territory generally covers central Riverside County.

Seller alleges that the radio maintenance portion of his business will demand his full attention and consequently a more active promotion of the radiotelephone utility service could be made by purchaser. Seller's and purchaser's utility service areas are adjoining and are linked by major highways.

Exhibit 5 attached to the application sets out the sales agreement which provides that purchaser will pay \$10,000 for seller's facilities and rights. Of this amount \$8,377 is for tangible property. Other exhibits attached to the application set out seller's Tangible Property List (Exhibit 1), the seller's Statement of Operations (Exhibit 2), purchaser's current Balance Sheet (Exhibit 3) and Profit and Loss Statement (Exhibit 4).

The Commission has considered this matter and finds that the proposed sale will not be adverse to the public interest; that a public hearing is not necessary; and concludes that the sale should be authorized.

The action taken herein shall not be construed to be a finding of the value of the property herein authorized to be transferred.

IT IS ORDERED that:

1. James R. Coin may on or before January 31, 1965, sell and transfer his radiotelephone utility facilities with all operating rights, as heretofore described, to Chalfont Communications in accordance with the terms and conditions contained in the "Sales Agreement", attached to the application as Exhibit No. 5.

2. As a condition of the authority herein granted, Chalfont Communications is directed to continue the public utility responsibilities of James R. Coin with respect to the area served by the properties being transferred.

3. The tariffs of James R. Coin, now on file with this Commission, shall be filed within thirty days from the date of actual transfer under the name of Chalfont Communications in accordance with the procedure prescribed in General Order No. 96-A, or, in lieu of such refiling, Chalfont Communications may file a notice of adoption of said presently filed tariffs. No increase in the presently filed tariffs shall be made unless authorized by this Commission.

4. On or before the date of actual transfer of the specific properties herein authorized, James R. Coin shall transfer and deliver to Chalfont Communications, and the latter shall receive and preserve all records, memoranda and papers pertaining to the construction and operation of the radiotelephone utility authorized to be transferred.

5. If the authority herein granted is exercised, Chalfont Communications shall, within thirty days thereafter, notify this Commission, in writing, of the date of such completion of the property transfer herein authorized and of its compliance with the conditions hereof.

6. Upon compliance with the above ordering paragraphs, James R. Coin is relieved of his public utility responsibilities with respect to the property being transferred coincident with the

full assumption of such responsibilities by Chalfont Communications.

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

Dated at San Francisco, California, this 28th day of July, 1964.

Fredrick B. Hallock
President

John S. W. ...

George H. Hoover

William H. ...
Commissioners