

ORIGINALDecision No. 68021

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of:)
 WILLIAM GILMORE and KENNETH PAGE,)
 copartners doing business as GILMORE)
 AND PAGE, to sell, and of KENNETH)
 PAGE, an individual doing business)
 as GILMORE AND PAGE, to purchase, a)
 petroleum irregular route certificate)
 of public convenience and necessity)
 between all points in the State of)
 California, pursuant to Sections)
 851-853 of the California Public)
 Utilities Code.)

Application No. 46796
 (Filed July 14, 1964)

O P I N I O N

William Gilmore and Kenneth Page, copartners, doing business as Gilmore and Page, request authority to sell and transfer and Kenneth Page requests authority to purchase and acquire certain property and operating authority as a petroleum irregular route carrier.

The operating authority was granted by Decision No. 44348, transferred to the predecessors of the partners by Decision No. 46053, and ultimately transferred to the partnership by Decision No. 51518. The certificate authorizes the transportation of petroleum and petroleum products, in tank trucks and tank trailers, over irregular routes, between all points and places in the State of California.

In addition to the certificate the transfer includes all of the partnership's motor equipment, with the exception of a 1962 Falcon Ranchero, office equipment, dock and yard equipment, tools, and good will. In consideration for the release of the interest of William Gilmore in the assets of the partnership to be retained by Kenneth Page, Kenneth Page proposes to release all of his interest in and to

certain described non-utility assets of the partnership consisting of an oil well lease, a heater, tanks, and steam line located on certain real property owned by William Gilmore and, in addition, the 1962 Falcon Ranchero. The oil lease has a book value of \$3,050.05, the heater, tanks and steam line have a book value of \$5,810.54 and the Falcon Ranchero has an approximate value of \$2,000. As of March 31, 1964, the copartnership had a net worth of \$19,950.74. The agreement of dissolution between the partners is oral.

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

After consideration the Commission finds that the proposed transfer 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 February 15, 1965, William Gilmore and Kenneth Page may sell and transfer, and Kenneth Page 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, Kenneth Page 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. Kenneth Page 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.

4. On or before the end of the third month, after the consummation of the transfer as herein authorized, Kenneth Page 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 15th day of OCTOBER, 1964.

Fredrick B. Holtschoff
President

[Signature]

[Signature]

William B. Durrell

Commissioners