

ORIGINALDecision No. 68091

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
 CONSOLIDATED TERMINALS, INC., a
 corporation, to sell, and JOHN V. WYTBE,
 an individual doing business under the
 name of CONSOLIDATED TERMINALS, to
 purchase, warehouse operating rights.

Application No. 46945
 (Filed September 1, 1964)

O P I N I O N

Consolidated Terminals, Inc. requests authority to sell and transfer, and John V. Wytbe, an individual doing business as Consolidated Terminals, requests authority to purchase certain warehouse operating authority in the City of San Jose.

The authority was granted by Decision No. 59949, dated April 19, 1960, in Application No. 41644. The agreed cash consideration is \$750.

It is alleged that stockholders of the seller have determined to discontinue the corporation's participation in the warehouse business and to dissolve the corporation; applicant purchaser is the son of one of the stockholders of seller, and is desirous of carrying on the warehouse operation previously established and conducted by the seller corporation; applicant purchaser proposes to conduct the operation on an individual, rather than on a corporate basis, for business and tax reasons. As of August 1, 1964, applicant purchaser indicated a net worth in the amount of \$6,006.05.

After consideration the Commission finds that the proposed sale would not be adverse to the public interest. A public hearing is not necessary. The action taken herein shall not be construed to be a finding of the value of the warehouseman operative rights authorized to be transferred.

O R D E R

IT IS ORDERED that:

1. On or before March 1, 1965, Consolidated Terminals, Inc. may sell and transfer, and John V. Wythe may purchase and acquire, the operative rights referred to in the application.

2. Within thirty days after the consummation of the transfer herein authorized, John V. Wythe, 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. John V. Wythe shall amend or reissue the tariffs on file with the Commission, naming rates, rules and regulations governing the warehouse 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 ten days after the effective date of this order on not less than ten 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. 61-A.

4. On or before the end of the third month, after the consummation of the transfers herein authorized, John V. Wythe 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 30th day of OCTOBER, 1964.

Fredrick P. Halblacht
President

John V. Wythe

Everett C. Page

George L. Trover

Commissioners

Commissioner William M. Bennett, being necessarily absent, did not participate in the disposition of this proceeding.