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Decision No. 68201

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Joint Appli-)
 cation of A. B. MOSQUIERA, indi-)
 vidually and as the sole heir of)
 ARTHUR MOSQUIERA, SR., for an)
 order authorizing her to sell and)
 transfer, and CLAYTON MILLER and)
 WILLIAM C. SHOWERS, partners, doing)
 business as DEL REYE VAN & STORAGE,)
 to purchase and for authority to)
 operate under a certain certificate)
 of public convenience and necessity.)

Application No. 46665
(Filed May 25, 1964)

O P I N I O N

A. B. Mosquiera (also known as Annabelle A. Mosquiera), acting upon her own behalf and as the sole heir of Arthur Mosquiera, Sr., requests authority to sell and transfer and Clayton Miller and William C. Showers, doing business as Del Reye Van & Storage, request authority to purchase and acquire certain operating authority.

The right was granted by Decision No. 52098, in Application No. 37024 and authorizes the transportation of uncrated and unboxed household goods, furniture (including antiques) and office fixtures and furniture between Los Angeles and Santa Barbara and certain intermediate and off-route points. The agreed cash consideration is \$1,000.

It appears that by an agreement dated February 17, 1960 (Exhibit A attached to the application), Maxine Mosquiera transferred all of her right, title and interest in the operation to Arthur Mosquiera, Sr., and his wife, A. B. Mosquiera, for a consideration of one dollar. The transfer was without prior Commission authority. By an amendment to the instant proceeding Maxine Mosquiera was made a party to the application.

Applicant buyers are assertedly experienced operators in the field of transporting household and other goods. As of December 31, 1963, they indicated a net worth in the amount of \$17,553.81.

It is alleged that Arthur Mosquiera, Sr., died on February 17, 1961, leaving an estate of non-joint tenancy of such minimal value that no probate proceeding was instituted and that A. B. Mosquiera as his sole heir continued to provide service, but because of her advanced years and poor health she has been forced to cease operations.

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. The transfer from Maxine Mosquiera to A. B. Mosquiera and Arthur Mosquiera is hereby authorized nunc pro tunc.
2. On or before March 1, 1965, A. B. Mosquiera (also known as Annabelle A. Mosquiera) on her own behalf and as the sole heir of Arthur Mosquiera, Sr., may sell and transfer and Clayton Miller and William C. Showers may purchase and acquire, the operative right referred to in the application.
3. Within thirty days after the consummation of the transfer herein authorized, purchasers 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.

4. Purchasers 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 they have adopted or established, as their 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.

5. On or before the end of the third month, after the consummation of the transfer as herein authorized, purchasers 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 10th day of NOVEMBER, 1964.

Frederick B. Hallock
President
George L. Crow
William B. Bennett
Commissioners