

ORIGINALDecision No. 68427

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of:
 UTILITY PETROLEUM CO., a corporation,
 to sell, and of MORE TRUCK LINES, a
 corporation, 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. 47090

O P I N I O N

Utility Petroleum Co., a corporation, requests authority to sell and transfer and More Truck Lines, a corporation, requests authority to purchase and acquire a certificate of public convenience and necessity authorizing operations as a petroleum irregular route carrier between all points and places within the state.

The certificate was granted by Decision No. 44468 dated June 27, 1950 in Application No. 31046. The agreed cash consideration is \$200.

Applicant purchaser is presently operating as a cement carrier and as a highway contract carrier with its principal place of business being located at Anaheim. It owns and operates forty-two units of equipment and as of August 31, 1964, it indicated a net worth in the amount of \$52,266.50.

After consideration the Commission finds that the proposed sale would not be adverse to the public interest. A public hearing is not necessary.

Because of the large number of carriers operating within the state and the expense involved applicant requests authority to deviate from revised Rule 29(a) of the Commission's Rules of Procedure which requires that copies of the application be served on all carriers operating within the area.

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

O R D E R

IT IS ORDERED that:

1. On or before May 1, 1965 Utility Petroleum Co., a corporation, may sell and transfer, and More Truck Lines, a corporation, 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, More Truck Lines, a corporation, 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. More Truck Lines, a corporation, 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 it has adopted or established, as its 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, More Truck Lines, a corporation, 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.

5. Applicant is hereby authorized to deviate from Rule 29(a) of the Commission's Rules of Procedure.

6. Effective concurrently with the consummation of the transfer authorized by paragraph 2 hereof, Decision No. 67538, dated July 14, 1964, in Application No. 37025 is hereby vacated and set aside.

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

Dated at San Francisco, California, this 5th day of JANUARY, 1965.

Frederick B. Holbrook
President

Arthur C. [Signature]

George H. [Signature]

William W. [Signature]

Commissioners