

ORIGINAL

Decision No. 68455

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
ALEXANDER M. DICKIE, as Executor of)
the Estate of Daniel C. Fessenden,)
Deceased, and as Trustee of the)
Trust under the Last Will of said)
Daniel C. Fessenden, Deceased, for)
an order authorizing the transfer)
of the operating rights and busi-)
ness of Daniel C. Fessenden,)
Deceased, doing business as)
CALIFORNIA WAREHOUSE CO. from said)
estate to said trust.)

Application No. 47147
Filed November 24, 1964

O P I N I O N

Alexander M. Dickie, as Executor of the Estate of Daniel C. Fessenden, Deceased, requests authority to transfer and Alexander M. Dickie, as Trustee of the Trust under the Last Will of said Daniel C. Fessenden, requests authority to acquire the operating authority and property of Daniel C. Fessenden, deceased, doing business as California Warehouse Co.

At the time of his death, Daniel C. Fessenden was engaged in operations as a highway common carrier pursuant to Decision No. 55973. He also operated as a permitted carrier pursuant to permits duly issued by this Commission.

On April 2, 1964, the Superior Court in and for the County of Los Angeles made an order for final distribution of the estate of decedent pursuant to the terms of his Last Will, which provided that the trucking operations of decedent were distributed to Alexander M. Dickie, as Trustee, to be held and managed for the benefit of decedent's daughter, granddaughter and certain great grandchildren.

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 August 1, 1965, Alexander M. Dickie, as Executor of the Estate of Daniel C. Fessenden, Deceased (transferor), may sell and transfer and Alexander M. Dickie, as Trustee of the Trust under the Last Will of said Daniel C. Fessenden, Deceased (transferee), 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, transferee 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. Transferee 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 to 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, transferee 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 12th day of JANUARY, 1965.

Fredrick B. Holloeff
President

John E. Ditchell

George T. Grover

William L. Bennett
Commissioners