

**ORIGINAL**

Decision No. 68578

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
 CROWN TERMINAL CORP., a corporation, )  
 to sell, and of TRYGVE B. LODRUP, )  
 GARRY M. WHITE, and HAROLD R. HALL, )  
 copartners doing business under the )  
 fictitious firm name of LTL DELIVERY )  
 SERVICE, to purchase a certificate of )  
 public convenience and necessity for )  
 the transportation of general commodi- )  
 ties between points in the Los Angeles )  
 Basin Territory, pursuant to Sections )  
 851-853 of the California Public )  
 Utilities Code. )

Application No. 47211  
(Filed December 23, 1964)

O P I N I O N

Crown Terminal Corp. requests authority to sell and transfer and Trygve B. Lodrup, Garry M. White, and Harold R. Hall, copartners doing business as LTL Delivery Service, request authority to purchase and acquire certain operating authority as a highway common carrier.

Said operative right was granted by Decision No. 61235 dated December 20, 1960, as amended by Decision No. 63060 dated January 9, 1962, in Application No. 42576, and authorizes the transportation of general commodities, with certain exceptions, between points and places in the Los Angeles Basin Territory. Because of the death of D. R. Crawford, who was manager, president, and principal stockholder of applicant seller, the operating authority, at the request of applicant purchasers, was suspended by Decision No. 67656, dated August 4, 1964, as amended by Decision No. 67797, dated September 1, 1964, in Application No. 46724.

According to the sales agreement, a copy of which is attached to the application as Exhibit A, the agreed consideration is \$25,000, of which \$11,500 represents the value placed upon certain interstate operating authority that is also made subject to the sale. The consideration is to be paid as follows: \$1,000 upon the consummation of the agreement; \$4,000 upon the final order of this Commission and the Interstate Commerce Commission; and the balance in monthly installments of \$400 or more at the rate of five percent per annum on the unpaid balance.

Applicant purchasers are presently engaged in the transportation of property as a permitted carrier. They own and operate 19 units of motor equipment. For the period March 1, 1964 through October 30, 1964, they indicate a profit of \$40,203.24 and as of October 30, 1964, they show total capital in the amount of \$25,943.24.

After consideration the Commission finds that the proposed transfer would not be adverse to the public interest and that the issue of the securities herein authorized is reasonably required for the purposes specified herein and such purposes are not, in whole or in part, reasonably chargeable to operating expenses or to income.

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

A public hearing is not necessary.

O R D E R

IT IS ORDERED that:

1. On or before November 1, 1965, Crown Terminal Corp. may sell and transfer, and Trygve B. Lodrup, Garry M. White, and Harold R. Hall, may purchase and acquire, the operative rights referred to in the application.

2. Within thirty days after the consummation of the transfer herein authorized, Trygve B. Lodrup, Garry M. White, and Harold R. Hall 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. Trygve B. Lodrup, Garry M. White, and Harold R. Hall 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.

4. On or before the end of the third month after the consummation of the transfer as herein authorized, Trygve B. Lodrup, Garry M. White, and Harold R. Hall 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 purchasers may execute evidence of indebtedness in the amount of \$20,000.

The authority herein granted to issue a note will become effective when applicants have paid the fee prescribed by Section 1904(b) of the Public Utilities Code, which fee is \$25. In other respects the effective date of this order shall be twenty days after the date hereof.

Dated at San Francisco, California, this 9th day of FEBRUARY, 1965.

Fredrick B. Hallock  
President  
George L. Traver  
William D. DeWitt  
  
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Commissioners

Commissioner Peter E. Mitchell, being necessarily absent, did not participate in the disposition of this proceeding.

