

Decision No. 70054

**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of LYMAN G. BERG, an individual, and AMERICAN MOBILE RADIO, INC., a California corporation, for authority to transfer Radiotelephone Common Carrier Systems KMA-249 and KMD-344 Long Beach, California, together with operative rights thereto from LYMAN G. BERG to AMERICAN MOBILE RADIO, INC.

Application No. 47938

O P I N I O N

Lyman G. Berg, by application filed September 30, 1965, requests authority to transfer all of his interest in Radiotelephone Utility's Radio Dispatch Service, KMA-249, and Airpage of Long Beach, KMD-344, Long Beach, California, to American Mobile Radio, Inc.

Applicant Berg caused the formation of applicant buyer as a family corporation of which applicant Berg is the owner of all of the outstanding 500 shares of stock, each share having a par value of \$10. The directors and officers of applicant buyer consist of applicant seller, his wife and his son.

As of June 30, 1965, applicant seller indicated a net worth in the amount of \$455,980 and as of July 1, 1965, applicant buyer indicated a net worth in the amount of \$5,000.

The action taken herein shall not be construed to be a finding of the value of the properties herein authorized to be transferred.

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 May 1, 1966, Lyman G. Berg may transfer and American Mobile Radio, Inc. may acquire all right, title and interest in Radiotelephone Utility's Radio Dispatch Service, KMA-249, and Airpage of Long Beach, KMD-344, Long Beach, California.

2. American Mobile Radio, Inc. is hereby granted a certificate of public convenience and necessity to operate the radiotelephone system herein authorized to be transferred to the extent such operation was authorized by Decision No. 62156, dated June 20, 1961.

3. The rates and rules of Airpage of Long Beach and Radio Dispatch Service now on file with this Commission shall be refilled within thirty days from the date of actual transfer under the name of American Mobile Radio, Inc. in accordance with the procedure prescribed by General Order No. 96-A, or in lieu of such refiling American Mobile Radio, Inc. may file a notice of adoption of said presently filed rates and rules. No increases in the presently filed rates and no changes in the presently filed rules shall be made unless otherwise authorized by this Commission or by law.

4. On or before the date of actual transfer of the physical properties herein authorized, seller shall transfer and deliver to buyer, and the latter shall receive and preserve, all records, memoranda, and papers pertaining to the construction and operation of the subject radiotelephone utility properties.

5. If the authorization herein granted is exercised, buyer shall, within thirty days thereafter, notify this Commission in writing of the date of completion of the property transfer herein

authorized and of its compliance with the conditions hereof and shall file a copy of each journal entry used to record the purchase on its books.

6. Upon compliance with the conditions of this order, seller shall stand relieved of all further public utility obligations in connection with the operation of the public utility system herein authorized to be transferred.

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

Dated at San Francisco, California, this 7<sup>th</sup> day of December, 1965.

Friedrich B. Holmoff  
President

Carl E. Widdell

George T. Crover

Augustine

William W. Bennett  
Commissioners