

ORIGINALDecision No. 70532

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of:

EWELL C. CARDER, an Individual,
and C. C. WHITE, INC., dba WHITE'S
TRANSPORTATION, a Corporation,for authority for EWELL C. CARDER,
an Individual, to transfer operative
rights to C. C. WHITE, INC., dba
WHITE'S TRANSPORTATION, a
Corporation.Application No. 48199
(Filed January 24, 1966)O P I N I O N

Ewell C. Carder, an individual, requests authority to transfer and C. C. White, Inc., dba White's Transportation, a corporation (White's), requests authority to acquire a cement carrier certificate to operate to and within the Counties of Kern, Los Angeles, Mono, San Bernardino, San Luis Obispo, Santa Barbara, and Ventura. The consideration to be paid for the operating authority is \$1,000.

Said authority is prescriptive in nature and was described by the Commission in Resolution No. 13825, Sub. No. 48, issued June 23, 1964.

The latest available income statement of applicant Carder for the year ending December 31, 1964, shows operating revenues of \$121.10, operating expenses of \$741.04, and a net operating loss of \$619.94.

Applicant C. C. White, Inc., is presently doing business as White's Transportation, a corporation, and is located in Manteca, California. It is a cement carrier as defined in Section 214.1 of the Public Utilities Code and as such is authorized by Resolution No. 13825, Sub. No. 36, to conduct operations to and within the County of San Joaquin. For the year ending December 31, 1964, it had operating revenues of \$508,124.22, derived mainly from common carrier, contract carrier, and sub-haul operations.

White's alleges that its authority as a cement carrier is restricted territorially to operations to and within San Joaquin County and that it desires to expand its service to its shippers. The expanded territory is necessary to it in order to provide an adequate service to its customers.

No protests have been received. A public hearing is not necessary. After consideration, the Commission finds that the proposed transfer would not be adverse to the public interest.

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 August 1, 1966, Ewell C. Carder, an individual (seller), may sell and transfer, and C. C. White, Inc., dba White's Transportation, a corporation (purchaser), may purchase and acquire the operative rights referred to in the application.
2. Within thirty days after the consummation of the transfer herein authorized, purchaser 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. Purchaser 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. 117.

4. On or before the end of the third month after the consummation of the transfer as herein authorized, purchaser shall cause to be filed with the Commission, in such form as the Commission may prescribe, an annual report, or reports, related to the operations of the seller for the period commencing with the first day of the current year to and including the effective date of the transfer.

5. Concurrently with the tariff filings required by ordering paragraph 3 hereof, the operating authorities described by Resolution No. 13825, Sub. Nos. 36 and 48, issued June 23, 1964, are hereby revoked and in their place and stead a certificate of public convenience and necessity is hereby granted to C. C. White, Inc.,

dba White's Transportation, a corporation, authorizing it to operate as a cement carrier as defined in Section 214.1 of the Public Utilities Code between the points set forth in Appendix A attached hereto and made a part hereof.

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

Dated at San Francisco, California, this 5th day of APRIL, 1966.

Frederick B. Holhoff
President

George L. Hoover

Augustin

Rollison vs. Bennett
Commissioners

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

C. C. White, Inc., by the certificate of public convenience and necessity granted in the decision noted in the margin, is authorized to operate as a cement carrier to and within the Counties of Kern, Los Angeles, Mono, San Bernardino, San Luis Obispo, San Joaquin, Santa Barbara and Ventura from any and all points of origin.

End of Appendix A

Issued by California Public Utilities Commission.

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