

Decision No. 70713**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of Winfred D. Breland
and Lanier Page cba a partnership
for authority to transfer Certificate
of Public Convenience and
Necessity from the partnership to
Winfred D. Breland, an individual.

Application No. 48296
(Filed March 7, 1966)

O P I N I O N

Winfred D. Breland and Lanier Page are holders of a certificate of public convenience and necessity authorizing operations as a passenger stage corporation between San Bernardino and the Marine Corps Depot at Nebo, California. Said certificate was granted by the Commission by Decision No. 55272, dated July 15, 1957, in Application No. 33228. The partners seek authority herein to transfer said certificate to Winfred D. Breland.

The application states that the partnership of Winfred D. Breland and Lanier Page is in the process of being dissolved and that under the terms of the agreement for dissolution of the partnership, Lanier Page received the sum of fifty dollars and other consideration, and Winfred D. Breland is to continue the operations as an individual, using the same equipment as that used by the partnership.

Applicants represent that the withdrawal of Lanier Page from the business will not affect the ability of the remaining partner, Winfred D. Breland, to conduct the operations heretofore conducted by the partnership and to discharge his obligations under the certificate of public convenience and necessity. Financial statements attached to the application support that representation.

After consideration the Commission finds that the proposed transfer would not be adverse to the public interest. It is desirable that the operative rights be restated in appendix form; therefore, a new certificate of public convenience and necessity shall be issued and concurrently with the exercise by applicant of said certificate, the operative rights granted by Decision No. 55272 in Application No. 38828 should be revoked. A public hearing is not necessary.

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 March 1, 1967, Winfred D. Breland and Lanier Page, may sell and transfer and Winfred D. Breland 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, Winfred D. Breland 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. Applicants shall amend or reissue the tariffs and timetables on file with the Commission, naming rates, rules and regulations governing the common carrier operations herein to show that the partnership has withdrawn or canceled, and Winfred D. Breland has adopted or established, as his own, said rates, rules

and regulations. The tariff and timetable filings shall be made effective not earlier than ten days after the effective date of this order on not less than ten days' notice to the Commission and the public, and the effective date of the tariff and timetable filings shall be concurrent with the consummation of the transfer herein authorized. The tariff and timetable filings made pursuant to this order shall comply in all respects with the regulations governing the construction and filing of tariffs and timetables set forth in the Commission's General Orders Nos. 79 and 98-A.

4. On or before the end of the third month, after the consummation of the transfer as herein authorized, Winfred D. Breland 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 partnership 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 effective date of tariff filings required by ordering paragraph 3 hereof, the operative right granted by Decision No. 55272 in Application No. 38828 is hereby revoked and, in place and stead thereof, a certificate of public convenience and necessity is granted to Winfred D. Breland authorizing him to operate as a passenger stage corporation, as defined in Section 226 of the Public Utilities Code, between the points and over the

routes particularly 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 17th day of MAY, 1966.

Frederick B. Hallock
President
George H. Hoover
Secretary
William L. Beard
Commissioners

Winfred D. Breland, by certificate of public convenience and necessity granted in the decision noted in the margin, is authorized to transport passengers between San Bernardino and the Marine Corps Depot at Nebo over and along the following route:

Beginning at any point in the City of San Bernardino; thence via the most direct and appropriate route or routes to U. S. Highway 66; thence via U. S. Highway 66 to the U. S. Marine Corps Depot at Nebo, California, returning via the reverse of said route or routes.

Motor vehicles may be turned at termini or intermediate points in either direction, at intersections of streets or by operating around a block contiguous to such intersections or in accordance with local traffic regulations.

RESTRICTION:

Applicant shall transport only passengers originating at or destined to said Marine Corps Depot at Nebo, California, between San Bernardino and said depot on a round-trip basis.

End of Appendix A

Issued by California Public Utilities Commission.

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