ORIGINAL

Decision No. ___73228___

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of WEST COAST FAST FREIGHT, a)
California corporation, for)
authority to transfer operating)   Application No. 49635
rights, and WARN BROS. INC., a)   (Filed August 25, 1967)
California corporation, doing)
business as CRESCENT TRUCK LINES,)
for authority to acquire operating)
rights.)
_____)

O P I N I O N

John Costello, as trustee in bankruptcy for West Coast Fast Freight, requests authority to sell and transfer and Warn Bros. Inc., doing business as Crescent Truck Lines, requests authority to purchase and acquire certain operative rights authorizing the transportation of general commodities as a highway common carrier.

Said certificated authority was granted by Decision No. 58026, dated February 17, 1959, in Application No. 39732, as amended by Decision No. 60611, dated August 23, 1960, and Decision No. 69100, dated May 18, 1965. The certificate in general authorizes operations between San Francisco, Los Angeles and San Diego, including certain intermediate points.

Because of financial difficulties West Coast ceased operations and on January 12, 1967, was adjudged bankrupt. By Decision No. 71894, dated January 24, 1967, the certificate of public convenience and necessity herein considered was suspended until February 1, 1968. Pursuant to court order, the operating authority of West Coast, including its intrastate and interstate certificates were made subject to public bid. Applicant buyer

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was the successful bidder. The purchase price for the interstate and intrastate certificates was $70,100, of which $7,010 has been paid to the Trustee in Bankruptcy, and the balance is payable upon the final approval of both this Commission and the Interstate Commerce Commission. As of March 31, 1967, applicant buyer indicated a net worth in the amount of $254,236.

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, 1968, West Coast Fast Freight may sell and transfer, and Warn Bros. Inc. may purchase and acquire, the operative rights referred to in the application.

2. Within thirty days after the consummation of the transfer herein authorized, Warn Bros. Inc. 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. Warn Bros. Inc. shall amend or reissue the tariffs on file with the Commission, naming rates and rules governing the common carrier operations herein to show that it has adopted or established, as its own, said rates and rules. 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

A. 49635 bem

this order shall comply in all respects with the regulations govern-
ing 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, Warn Bros. Inc.
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. Concurrent with the effective date of tariff filings
required by ordering paragraph 3 hereof the suspension of the
authority herein considered is hereby set aside.

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

Dated at _____ San Francisco _____, California, this
___ 24th ___ day of _____ OCTOBER _____, 1967.

_____
President

_____

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Commissioners