

ORIGINAL

Decision No. 73498

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application)
of)
CONSOLIDATED FREIGHTWAYS)
CORPORATION OF DELAWARE,)
a Delaware corporation, for an)
order authorizing it to guarantee)
indebtedness incurred under a)
credit agreement between)
Consolidated Freightways, Inc.,)
a Delaware corporation, and Bank)
of America National Trust and)
Savings Association.)

Application No. 49824
Filed November 29, 1967

O P I N I O N

This is an application for an order of the Commission authorizing Consolidated Freightways Corporation of Delaware to assume liability as guarantor for repayment of an indebtedness in the principal amount of not exceeding \$45,000,000 at any one time outstanding to be incurred pursuant to a Loan Agreement between Consolidated Freightways, Inc. and Bank of America National Trust and Savings Association.

Applicant is a Delaware corporation engaged in business as a highway common carrier and a petroleum irregular route carrier in the State of California under certificates of public convenience and necessity granted by this Commission and, among other things, it also conducts interstate operations subject to the jurisdiction of the Interstate Commerce Commission. For the nine months ended September 30, 1967, it reports gross

revenues and net income of \$144,713,330 and \$4,828,747, respectively.

Consolidated Freightways, Inc., which owns all of applicant's outstanding stock, proposes to enter into said Loan Agreement by which the repayment of sums borrowed thereunder will be guaranteed by subsidiaries including applicant. The proceeds of the loans will be used for general corporate purposes.

The Commission has considered this matter and finds that applicant's proposal to guarantee repayment of indebtedness will not be adverse to the public interest. On the basis of this finding we conclude that the application should be granted. A public hearing is not necessary.

O R D E R

IT IS ORDERED that Consolidated Freightways Corporation of Delaware may assume liability as guarantor of indebtedness of Consolidated Freightways, Inc. in the principal amount of not exceeding \$45,000,000 at any one time outstanding, which indebtedness will be incurred in accordance with a Loan Agreement and an Agreement and Guaranty in the same form, or in substantially the same form, as those attached to the application as Exhibit A.

The effective date of this order is the date hereof.

Dated at San Francisco, California, this
19th day of DECEMBER, 1967.

Peter E. Mitchell
President
William A. Bennett
Augusta
William J. Jones
Fred P. Morrissey
Commissioners