

ORIGINAL

Decision No. 73580

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of J. P. BREEN, INC., a California corporation, to surrender its certificate of public convenience and necessity to operate as a petroleum irregular route carrier in the State of California.

Application No. 49875
(Filed December 13, 1967;
Amended December 20, 1967)

O P I N I O N

J. P. Breen, Inc., a California corporation, requests authority to abandon its certificate of public convenience and necessity as a petroleum irregular route carrier throughout the State.

The operating authority to be abandoned was acquired by J. P. Breen, Inc. pursuant to Decision No. 60030 in Application No. 42137.

The application alleges that the shareholders of applicant did unanimously adopt on December 8, 1967, a resolution that applicant shall wind up, dissolve and completely liquidate; that on December 10, 1967, the shareholders of applicant unanimously adopted a resolution authorizing the sale of substantially all of its assets to Asphalt Service Co.; that arrangements have been made so that the shippers heretofore served by applicant will, after the sale of the assets, be served by Blomquist Tank Lines, Inc., which is affiliated with Asphalt Service Co.; that the assets being sold to Asphalt Service Co. will be used by Blomquist Tank Lines, Inc., along with other assets which it possesses to provide all of the services required by said

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shippers; and that the principal shipper, both of applicant and Blomquist Tank Lines, Inc. is Shell Oil Company which is aware of the proposed transaction.

After consideration, the Commission finds that public convenience and necessity no longer require applicant's service pursuant to applicant's petroleum irregular route carrier certificate. A public hearing is not necessary.

O R D E R

IT IS ORDERED that:

1. The certificate of public convenience and necessity to operate as a petroleum irregular route carrier granted by Decision No. 44255 in Application No. 31217 and transferred to applicant by Decision No. 60030 in Application No. 42137 is hereby revoked.

2. Western Motor Tariff Bureau, Inc., Agent, is hereby authorized and directed to cancel the participation of J. P. Breen, Inc., from its tariffs on file with the Commission in which J. P. Breen, Inc., is shown as a participating carrier, such cancellation to be made within ninety days after the effective date of this order on not less than ten days' notice to the Commission and to the public.

The Secretary is directed to cause service of a certified copy of this order to be made upon J. P. Breen, Inc., or to mail a

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certified copy thereof to it at its last known address as shown in the Commission's records, and to mail a copy of this order to Western Motor Tariff Bureau, Inc., Agent.

The effective date of this order shall be the date hereof.

Dated at San Francisco, California, this 3rd day of JANUARY, 1968.

Edward E. Mitchell
President

William L. Bennett

Augustus

William J. ...

Fred P. ...
Commissioners