

ORIGINALDecision No. 74350

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application
of BAY FREIGHT LINES, INC., a
California corporation, for
authority to transfer assets, and
SYSTEM 99, a California corporation,
to acquire assets and assume
liabilities.

Application No. 50036
(Filed February 21, 1968)

O P I N I O N

On February 21, 1968 Bay Freight Lines, Inc. and System 99 filed the instant application requesting authority to transfer the certificated authority of Bay Freight Lines, Inc. to System 99, a California corporation. By Decision No. 73922, dated April 2, 1968, the Commission dismissed the application on the ground that pursuant to Section 5 of the Interstate Commerce Act the Interstate Commerce Commission had exclusive jurisdiction of the matter. System 99 was placed upon notice that if the transfers were approved by the Interstate Commerce Commission it should file a copy of such order with this Commission and amend or reissue the tariffs presently on file with the Commission to show that it has adopted said tariffs.

By petition filed May 10, 1968, applicants indicated that the Interstate Commerce Commission had by its order dated May 6, 1968, approved the transfer subject to the following condition:

"...provided, however, that prior to commencement of operations under the authority herein granted, a certified copy of the decision and order of the Public Utilities Commission of the State of California approving the transfer, together with copy of the new authority issued to System 99, shall be submitted to this Commission."

In general the interstate operating authority provides for the transportation of general commodities between San Francisco Territory and San Rafael, on the one hand, and points between Scotia and Arcata inclusive, on the other hand, and on lumber and forest products north thereof to the California border. Said authority is more specifically set forth in Decision No. 60970 in Application No. 41260; Decision No. 43424 in Applications Nos. 29621, 29680, 29762, 29792, 29793, 29892, 29936, 29965; Decision No. 51882 in Application No. 37124; Decision No. 64522 in Application No. 44598.

After consideration the Commission finds that Application No. 50036 should be reinstated for the purpose of complying with the Interstate Commerce Commission order dated May 6, 1968. The Commission further finds that upon the consummation of the transfer and upon the tariff filings required by Decision No. 73922 the operating rights of Bay Freight Lines, Inc. shall be held in the name of System 99. A public hearing is not necessary.

O R D E R

IT IS ORDERED that:

1. Application No. 50036 is hereby reinstated and the transfer of the operating rights and property as authorized by the Interstate Commerce Commission by its order dated May 6, 1968, as set forth in Attachment III of the petition filed with this Commission on May 10, 1968 is hereby approved.

2. Upon consummation of the transfer as authorized by the Interstate Commerce Commission and upon an appropriate filing with this Commission by System 99 naming rates and rules governing the common carrier operation transferred to show that it has adopted or established, as its own, said rates and rules (said tariff filings shall comply in all respects with regulations governing the construction and filing of tariffs set forth in the Commission's General Order No. 80-A), the operating authority herein considered shall be amended by substituting the name of System 99 in place of Bay Freight Lines, Inc.

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

Dated at San Francisco, California, this
2nd day of JULY, 1968.

[Signature]
President
[Signature]
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Commissioners