

Decision No. 75341

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

IN THE MATTER OF THE APPLICATION OF)
FREIGHT TRANSPORT COMPANY TO TRANSFER)
WAREHOUSE FRANCHISE OPERATING RIGHTS)
UNDER SECTION 851.)

Application No. 50863
(Filed February 5, 1969)

O P I N I O N

Freight Transport Company requests authority to transfer and Dependable Trucking Company requests authority to acquire a certificate of public convenience and necessity authorizing operation as a public utility warehouseman.

The certificate was granted by Decision No. 38591 dated January 4, 1946, in Application No. 27098 and authorizes operation in 37,000 square feet of space in the City of Los Angeles.

Applicant Freight Transport Company is in the process of a bankruptcy proceeding and has not conducted operations since December 31, 1968. Pursuant to a Plan of Arrangement approved by the referee in bankruptcy on November 22, 1968, Dependable Trucking Company will acquire all of the assets of Freight Transport Company including the operating authority herein considered.

Dependable Trucking Company is presently engaged in a trucking and private warehousing business at 4527 Loma Vista, Los Angeles. As of September 30, 1968 it indicated a net worth in the amount of \$110,761.

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 December 1, 1969, Freight Transport Company may sell and transfer, and Dependable Trucking Company 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, Dependable Trucking Company 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. Dependable Trucking Company shall amend or reissue the tariffs on file with the Commission, naming rates and rules governing the warehouse 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 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 filings shall be concurrent with the consummation of the transfer herein authorized. The tariff filings made pursuant to this order shall comply in all respects with the regulations governing the construction and filing of tariffs set forth in the Commission's General Order No. 61-A. Failure to comply with and observe the provisions of General Order No. 61-A may result in a cancellation of the operating authority granted by this decision.

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4. On or before the end or the third month after the consummation of the transfer as herein authorized, Dependable Trucking Company 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 fiscal year to and including the effective date of the transfer.

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

Dated at Los Angeles, California, this 18th day of FEBRUARY, 1969.

William S. ...
President
August ...
Fred P. Morrissey
J. P. ...
Commissioners

Commissioner Thomas Moran, being necessarily absent, did not participate in the disposition of this proceeding.