

**ORIGINAL**Decision No. 75607

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application  
 of MILLAGE TRUCKING, INC., a  
 California corporation, for  
 authority to transfer assets,  
 and RELIANCE TRUCK CO., an  
 Arizona corporation, to acquire  
 assets and assume liabilities.

Application No. 49870  
 (Petition filed March 7, 1969)

O P I N I O N

By the above application Reliance Truck Co. requested authority to acquire the property and operating authority of Millage Trucking, Inc. By Decision No. 73732, dated February 14, 1968, the Commission found that the transfer was subject to the exclusive jurisdiction of the Interstate Commerce Commission and dismissed the application. Reliance Truck Co., however, was placed upon notice that in the event the Interstate Commerce Commission approved the transfer applicant should file a true copy of the orders of said Commission and should amend or reissue the tariffs on file with this Commission naming rates and rules governing the common carrier operations transferred to show that it has adopted or established, as its own, said rates and rules. By their petition filed March 7, 1969, applicants filed a copy of an order issued by the Interstate Commerce Commission dated January 27, 1969 and served February 3, 1969, authorizing the proposed transfer. It is requested that this Commission issue an order indicating that upon the consummation of the transfer as authorized by the Interstate Commerce Commission and upon the tariff filings specified in Decision No. 73732 the operating authority in question will be transferred from the name of Millage Trucking Inc. to Reliance Truck Co.

A letter of protest to the petition was received by the Commission indicating that the petition is premature in that the order of the Interstate Commerce Commission is not final and may be subject to reconsideration. The ensuing order therefore will be conditioned upon the order of the Interstate Commerce Commission, as attached to the petition, becoming effective.

O R D E R

IT IS ORDERED that:

1. Application No. 49870 is hereby reinstated.
2. Within sixty days after the effective date of the order of the Interstate Commerce Commission as set forth in Exhibit A attached to the petition filed in this proceeding on March 7, 1969, Reliance Truck Co. shall amend or reissue the tariffs on file with this Commission naming rates and rules governing the common carrier operations transferred to show that it has adopted or established, as its own, said rates and rules. The 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.
3. Concurrent with the effective date of the tariff filings as set forth in ordering paragraph 2 hereof the operating authority set forth in the following decisions shall be transferred from the name of Millage Trucking, Inc. to Reliance Truck Co.

<u>Decision No.</u>	<u>Dated</u>	<u>Application No.</u>
63493	April 3, 1962	44200
59804	March 22, 1960	41898
63073	January 9, 1962	41898
48105	December 22, 1952	33528
47804	October 7, 1952	33529
44229	May 23, 1950	30879
62204	June 27, 1961	43435
47947	November 25, 1952	33529
63074	January 9, 1962	42803 - 43435
61352	January 17, 1961	42803
74082	May 7, 1968	44200
74541	August 13, 1968	44200

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

Dated at San Francisco, California, this 29th day of APRIL, 1969.

William Synnott Jr.  
President

Auguston

David P. Monahan

W. H. ...

[Signature]  
Commissioners