

ORIGINAL

Decision No. 75632

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 DALTON HAFNER and RUDOLPH DOCKTER)
 for an Order Authorizing the Transfer)
 of Operating Rights and Properties as)
 a Passenger Stage Corporation between)
 the Monterey Peninsula Airport and the)
 Surrounding Area in the State of Cali-)
 fornia to DALTON HAFNER and BURT)
 LAUDERBAUGH.)

Application No. 50970
(Filed March 26, 1969)

O P I N I O N

Rudolph Dockter requests authority to sell his one half interest in the partnership of Dalton Hafner and Rudolph Dockter, doing business as Airport Cab and Limousine Company, to Burt Lauderbaugh.

The present partnership is authorized to operate a passenger stage service between the Monterey Peninsula Airport, on the one hand, and Monterey, Pacific Grove, Carmel, Seaside, Presidio of Monterey, and intermediate points, on the other hand, (Decision No. 50019 dated May 11, 1954 in Application No. 34253, as amended, by Decision No. 60775 dated September 20, 1960 in Application No. 42482).

The agreed consideration for the transfer of the fifty percent partnership interest is \$55,000 payable as follows:

- (a) \$15,000 in cash.
- (b) \$40,000 to be evidenced by a promissory note dated March 1, 1969, with interest at 7% a year on the unpaid balance, with interest only payable to January 1, 1970, at which time payments of \$500 shall be paid monthly, with purchaser having the option to make additional payments of principal not to exceed \$20,000 in any one year for the years 1970 and 1971, with the entire balance to be due and payable five years from the date of the note.

Applicant buyer has assertedly had many years of experience in the business world and as of December 31, 1968, indicated a net worth in the amount of \$389,000. The partnership indicated a net profit of \$24,751 for the year 1968.

After consideration the Commission finds that the proposed transfer would not be adverse to the public interest. A public hearing is not necessary.

The authorization herein granted shall not be construed as a finding of the value of the rights and properties herein authorized to be transferred.

O R D E R

IT IS ORDERED that:

1. On or before December 1, 1969, Dalton Hafner and Rudolph Dockter may sell and transfer, and Dalton Hafner and Burt Lauderbaugh 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, purchasers 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. Purchasers shall amend or reissue the tariffs and timetables on file with the Commission, naming rates and rules governing the common carrier operations herein to show that they have adopted or established, as their own, said rates and rules. The tariff and timetable 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 and timetable filings shall be concurrent with the consummation of the transfer herein authorized. The tariff and timetable filings made pursuant to this order shall comply in all respects with the regulations governing the construction and filing of tariffs and timetables set forth in the Commission's General Orders Nos. 79 and 98-A. Failure to comply with and observe the provisions of General Orders Nos. 79 and 98-A may result in a cancellation of the operating authority acquired pursuant to this decision.

4. On or before the end of the third month after the consummation of the transfer as herein authorized, purchasers 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 sellers for the period commencing with the first day of the current year to and including the effective date of the transfer.

5. Within thirty days after the effective date hereof, purchasers shall file a written acceptance of the certificate, the transfer of which is herein authorized. Purchasers are placed on notice that, if they accept such certificate, they will be required, among other things, to comply with and observe the safety rules of the California Highway Patrol, the rules and other regulations of the Commission's General Order No. 98-A and insurance requirements of the Commission's General Order No. 101-C.

6. Purchasers shall maintain their accounting records on a calendar year basis in conformance with the applicable Uniform System of Accounts or Chart of Accounts as prescribed or adopted

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by this Commission and shall file with the Commission, on or before March 31 of each year, an annual report of their operations in such form, content, and number of copies as the Commission, from time to time, shall prescribe.

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

Dated at San Francisco, California, this 3rd day of MAY, 1969.

William Symons, Jr.
President

Augustin
J. P. Monahan
J. P. Vukasin, Jr.

Commissioners

Commissioner J. P. Vukasin, Jr., being necessarily absent, did not participate in the disposition of this proceeding.