

ORIGINALDecision No. 76143

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of)LEWIS RODGERS, an individual,)
doing business as FRESNO-BASS)
LAKE FREIGHT LINES,)for authority to transfer)
operating rights,)

and)

FRESNO BASS LAKE FREIGHT LINES,)
INC., a California corporation,)for authority to acquire operating)
rights and issue shares.)Application No. 51276
Filed July 29, 1969
and Amendment
Filed August 18, 1969O P I N I O N

Lewis Rodgers, doing business as Fresno-Bass Lake Freight Lines, requests an order of the Commission authorizing him to transfer his highway common carrier certificate of public convenience and necessity and certain related assets to Fresno-Bass Lake Freight Lines, Inc., and authorizing the latter to issue 1,100 shares of its \$10 par value capital stock.

By Decision No. 56590, dated April 22, 1958, in Application No. 39897, the Commission granted a certificate of public convenience and necessity to Lewis Rodgers authorizing him to operate as a highway common carrier for the transportation of property in portions of Fresno, Madera and Mariposa counties. In addition, he performs permitted carrier operations subject to the jurisdiction of this Commission and also operates under the jurisdiction of the Interstate Commerce Commission. For the year 1968, the carrier reports total operating revenues and net income of \$48,101 and \$10,811, respectively.

Fresno-Bass Lake Freight Lines, Inc. is a California corporation incorporated on or about June 9, 1969. The corporation proposes to issue \$11,000 aggregate par value of its capital stock for cash working capital and other assets segregated by net book value as of July 1, 1969, as follows:

Cash in bank	\$ 1,975
Revenue equipment and fork lift	7,850
Office equipment and furniture	<u>1,175</u>
Total	<u>\$11,000</u>

After consideration the Commission finds that: (1) the proposed transfer would not be adverse to the public interest; (2) the money, property or labor to be procured or paid for by the issue of the stock herein authorized is reasonably required for the purposes specified herein; and (3) such purposes are not, in whole

or in part, reasonably chargeable to operating expenses or to income. On the basis of these findings we conclude that the application, as amended, should be granted. A public hearing is not necessary.

The action taken herein shall not be construed as a finding of the value of the properties to be transferred. So far as the rights are concerned the authorization herein granted is for the transfer of the intrastate highway common carrier certificate of public convenience and necessity only. Any transfer of permitted operative rights must be the subject of a separate application or applications.

O R D E R

IT IS ORDERED that:

1. On or before December 31, 1969, Lewis Rodgers may sell and transfer, and Fresno-Bass Lake Freight Lines, Inc. may purchase and acquire, the intrastate highway common carrier certificate of public convenience and necessity and related assets referred to in the application as amended.

2. Fresno-Bass Lake Freight Lines, Inc., on or before December 31, 1969, for the purposes specified in this proceeding, may issue, at par, not exceeding 1,100 shares of its \$10 par value capital stock.

3. Fresno-Bass Lake Freight Lines, Inc. shall file with the Commission a report, or reports, as required by General Order No. 24-B, which order, insofar as applicable, is hereby made a part of this order.

4. Within thirty days after the consummation of the transfer herein authorized, Fresno-Bass Lake Freight Lines, Inc. 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.

5. Fresno-Bass Lake Freight Lines, Inc. shall amend or reissue the tariffs on file with the Commission, naming rates and rules governing the common carrier 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 five days after the date of this order on not less than five 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. 20-A. Failure to comply with and observe the provisions of General Order No. 20-A may result in a cancellation of the operating authority acquired pursuant to this decision.

6. On or before the end of the third month after the consummation of the transfer as herein authorized, Fresno-Bass Lake Freight Lines, Inc. 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 transferor for the period commencing with the first day of the current year to and including the effective date of the transfer.

7. Within thirty days after the transfer herein authorized is consummated, Fresno-Bass Lake Freight Lines, Inc. shall file a written acceptance of the certificate. Fresno-Bass Lake Freight Lines, Inc. is placed on notice that, if it accepts such certificate, it will be required, among other things, to comply with and observe the safety rules of the California Highway Patrol and the insurance requirements of the Commission's General Order No. 100-B.

8. Fresno-Bass Lake Freight Lines, Inc. shall maintain its accounting records on a calendar year basis in conformance with the applicable Uniform System of Accounts or Chart of Accounts as prescribed or adopted by this Commission and shall file with the Commission, on or before March 31 of each year, an annual report of its operations in such form, content and number of copies as the Commission, from time to time, shall prescribe.

9. Fresno-Bass Lake Freight Lines, Inc. shall comply with the requirements of the Commission's General Order No. 84-Series for the transportation of collect on delivery shipments. If Fresno-Bass Lake Freight Lines, Inc. elects not to transport collect on delivery shipments, it shall make the appropriate tariff filings as required by the General Order.

10. The effective date of this order is the date hereof.

Dated at San Francisco, California,
this 10th day of SEPTEMBER, 1969.

William J. Smoot
President

Arthur J. [illegible]
[illegible]

Vernon L. Sturgeon
Commissioners

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