

ORIGINAL

Decision No. 76558

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application )  
of JOHANSEN'S SUPERIOR TRUCK CO. )  
and EXPORT FORWARDERS, INC., do- )  
ing business as Triangle Express, )  
for an order transferring author- )  
ity for rate deviation from )  
Triangle to Johansen's and can- )  
cellation of permits of Triangle. )

Application No. 51384  
(Filed September 22, 1969)

O P I N I O N

By Decision No. 75256, dated January 28, 1969, in Application No. 50739, Export Forwarders, Inc., doing business as Triangle Express (Triangle), was authorized to transport beverages, flavoring syrup, beverage preparations, bottler's flavoring compounds and empty barrels or drums for the Coca-Cola Company, between specified points in Southern California at rates less than the established minimum rates otherwise applicable. Said authority is scheduled to expire on February 7, 1970.

By this application applicants request that the authority granted to Triangle pursuant to Decision No. 75256 be transferred to Johansen's Superior Truck Co. (Johansen's) and cancellation of Radial Highway Common Carrier Permit No. 19-15857 and Highway Contract Carrier Permit No. 19-15858 presently held by Triangle.

Johansen's was issued a certificate of public convenience and necessity to operate as a highway common carrier by Decision No. 62285, dated July 18, 1961, in Application No. 51061. Said certificate has been modified by Decisions Nos. 62543, 75667 and 76392, dated September 12, 1961, May 13, 1969 and November 4, 1969,

respectively. Johansen's also holds Radial Highway Common Carrier Permit No. 19-20264 and Highway Contract Carrier Permit No.19-20265.

The application states that the stock of Johansen's and Triangle is family held and that the officers and directors are the same persons for both corporations. The application further states that: It was originally thought that with the acquisition of the Coca-Cola Company traffic, and that by joint use of facilities and minimizing management and overhead factors, both Johansen's and Triangle could continue to provide service to the public, with the two companies operating as separate entities, until at least January 1970. However, applicants believe that this continued dual operation will be wasteful duplication, and of no benefit either to them or to the public, from a financial or an operational point of view, and that it would be highly desirable to merge the two entities. This would be accomplished by having Johansen's purchase all of the operating equipment of Triangle at book value for cash and then dissolve Triangle.

The certificate of service shows that a copy of the verified application was mailed to California Trucking Association on September 16, 1969. The application was listed on the Commission's Daily Calendar of September 24, 1969. No objection to the granting of the application has been received.

After consideration the Commission finds that the rates authorized by Decision No. 75256, for certain transportation by Triangle, are reasonable for transportation by Johansen's of the same kind and quantity of property for Coca-Cola Company from and to the same points and cancellation of the permits held by Triangle would not be adverse to the public interest. A public hearing is not necessary. The Commission concludes that the application should be granted.

O R D E R

IT IS ORDERED that:

1. Ordering paragraph 1 of Decision No. 75256 is amended as follows:

"1. Johansen's Superior Truck Co. is hereby authorized to transport property for the Coca-Cola Company, between certain specified southern California points, at rates and charges less than the established minimum rates and charges but not less than those set forth, and subject to the conditions specified in Appendices A and B attached hereto and by this reference made a part hereof."

2. Appendix A of Decision No. 75256 is amended by substituting wherever the words "Export Forwarders, Inc., doing business as Triangle Express", appear in said Appendix A, the words "Johansen's Superior Truck Co."

3. In all other respects, Decision No. 75256 shall remain in full force and effect.

4. Radial Highway Common Carrier Permit No. 19-15857 and Highway Contract Carrier Permit No. 19-15858 issued to Export Forwarders, Inc., doing business as Triangle Express, are revoked.

The effective date of this order shall be the date hereof.

Dated at San Francisco, California, this 16<sup>th</sup> day of DECEMBER, 1969.

William Sproule Jr.  
President

Assistant

J. P. Williams

Commissioners