

Decision No. 76896

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of L. R. Brown Equipment	)	
Co., Inc., to sell operating rights	)	
and equipment, and of Brown Transpor-	)	
tation Company, a corporation, to	)	
purchase said operating rights and	)	Application No. 47017
equipment, and to issue promissory	)	
note or other evidence of indebtedness	)	
payable at periods of more than one	)	
(1) year, and to issue capital stock.	)	

SUPPLEMENTAL OPINION AND ORDER

Brown Transportation Company is the holder of a certificate of public convenience and necessity as a cement carrier issued by this Commission pursuant to Decision No. 68106, dated October 27, 1964, in Application No. 47017.

On September 16, 1969, Application No. 51365 was filed by Hartwick and Hand, Inc., and Brown Transportation Company for an order of the Commission authorizing the merger of Brown Transportation Company with and into Hartwick and Hand, Inc., and for transfer of Brown's cement carrier certificate to Hartwick and Hand, Inc. The application was dismissed without prejudice upon a finding that the proposed merger involved that of a utility with and into a nonutility and in accordance with Section 4124 of the California Corporations Code.

Karl K. Roos, attorney for the surviving ownership corporation, submitted to this Commission a copy of the certificate of ownership that

has been filed with the Secretary of State consummating the aforementioned merger. Accordingly, the certificate will be amended to show the new corporate name. Hartwick and Hand, Inc., will also be ordered to amend the tariffs involved pursuant to General Order No. 117. A public hearing is not necessary.

IT IS ORDERED that:

1. Decision No. 68106, dated October 27, 1964, in Application No. 47017, is amended by substituting "Hartwick and Hand, Inc." in place and stead of "Brown Transportation Company."

2. Within one hundred and twenty days after the effective date hereof, and on not less than ten days' notice to the Commission and the public, Hartwick and Hand, Inc., shall amend its tariffs on file with this Commission as required by Rule 6.2 of General Order No. 117.

This order shall become effective on the date hereof.

Dated at San Francisco, California, this 10<sup>th</sup> day of March, 1970.

William Synner, Jr.  
President

Angela

[Signature]

[Signature]

Vernon L. Sturgeon  
Commissioners