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Decision No. 78360

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of Roy V. Davis, an individual doing business as Davis & Son Trucking, to transfer operating authority, and HERCULES DRAYAGE CO., INC., a California corporation, for authority to acquire and to operate a Cement Carrier Certificate.

Application No. 52320  
(Filed November 24, 1970)

O P I N I O N

Roy V. Davis, doing business as Davis & Son Trucking, requests authority to sell and transfer, and Hercules Drayage Co., Inc. requests authority to purchase and acquire, a certificate of public convenience and necessity authorizing operations as a cement carrier within the Counties of Imperial and San Bernardino.

The certificate is prescriptive in nature and was set forth in Commission Resolution No. 13821, Sub. 13, dated June 23, 1964, in Application No. 46554. The agreed cash consideration is \$2,400. Applicant purchaser is presently operating as a permitted carrier and as a cement carrier, and as of June 30, 1970, indicated a net worth in the amount of \$285,872.

A review of applicant seller's quarterly and annual reports for the twelve-month period prior to the filing of the instant application indicates that he conducted no cement transportation during said period.

A request was made upon applicant seller to furnish copies of its shipping documents for the period December 1, 1969 through November 30, 1970. In response thereto applicant seller forwarded three freight bills for the transportation of quicklime from Lucerne to Holtville.

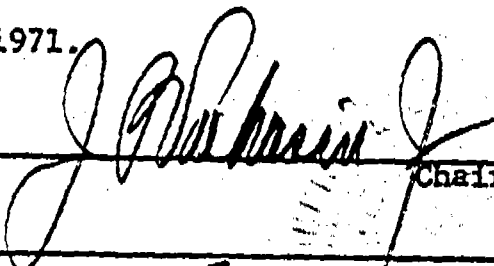
It would appear therefore, and the Commission so finds, that the certificated authority herein considered has lapsed and terminated pursuant to Section 1065.2 of the Public Utilities Code. The Commission concludes that the application should be denied.


O R D E R


IT IS ORDERED that Application No. 52320 is hereby denied.

The effective date of this order shall be twenty days after the date hereof unless before that time applicant seller shall file with this Commission a written request for a public hearing, in which event the effective date of this order shall be stayed pending further order of the Commission.

Dated at San Francisco, California, this 2nd day of MARCH, 1971.

  
Chairman

  
Vernon L. Sturgeon

  
Commissioners

Commissioner William Symons, Jr., being necessarily absent, did not participate in the disposition of this proceeding.