

Decision No. 82469**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of:

- (A) DMJ TRUCK SALES, INC., a)
 corporation, to control)
 BURTON TRUCK & TRANSFER CO.,)
 a corporation and highway)
 common carrier, pursuant to)
 Section 854 of the California)
 Public Utilities Code.)
- (B) DMJ TRUCK SALES, INC., a)
 corporation, to control)
 ABLE TRANSPORTATION, INC.,)
 a corporation and highway)
 permit carrier, pursuant to)
 Section 3551 of the California)
 Public Utilities Code.)

Application No. 54590
 (Filed January 21, 1974)O P I N I O N

DMJ Truck Sales, Inc. seeks authority to control Able Transportation, Inc. and Burton Truck & Transfer Co.

Able Transportation, Inc. and Burton Truck & Transfer Co. are California corporations operating under the jurisdiction of this Commission as highway contract carriers and radial highway common carriers. In addition, Burton Truck & Transfer Co. operates under the jurisdiction of this Commission as a highway common carrier, and also performs operations subject to the jurisdiction of the Interstate Commerce Commission.

DMJ Truck Sales, Inc. is a California corporation engaged in the business of selling used trucks and truck parts. For the first nine months of 1973, it reports a gross profit of \$178,515 and a net profit amounting to \$76,113 before income

taxes. The corporation's sole shareholder is Richard F. McCurdy, Jr., who has had considerable experience in the business of buying, selling and repairing used trucks and truck parts. The verified application shows that as a result of such experience, he has had a close relationship with the trucking and motor carrier industry, and is highly qualified to manage the motor carrier services of Able Transportation, Inc. and Burton Truck & Transfer Co.

After consideration the Commission finds that control of Able Transportation, Inc. and Burton Truck & Transfer Co. by DMJ Truck Sales, Inc. would not be adverse to the public interest. On the basis of this finding we conclude that the application should be granted. A public hearing is not necessary.

O R D E R

IT IS ORDERED that Richard F. McCurdy, Jr. and DMJ Truck Sales, Inc. may control Able Transportation, Inc. and Burton Truck & Transfer Co.

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 13th day of February, 1974.

Vernon L. Stinson
President
William L. Stinson
John L. Stinson
Richard F. McCurdy, Jr.
Commissioners