

LTC

ORIGINAL

Decision No. 82836

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
DESERT BELT TRANSPORTATION CO., a)
California corporation, for authority)
to transfer operating rights to)
WESTERN STATES CONSTRUCTION, INC., a) Application No. 54122
California corporation; and for)
WESTERN STATES CONSTRUCTION, INC. to)
issue an installment note to DESERT)
BELT TRANSPORTATION CO.)

OPINION AND ORDER RESCINDING DECISION NO. 81854

By their joint application in the above proceeding, Desert Belt Transportation Co., requested authorization to sell and transfer, and Western States Construction, Inc., requested authority to acquire, a certificate of public convenience and necessity as a highway common carrier and certain property.

The transfer was authorized by Decision No. 81854, dated September 12, 1973, such authorization to expire June 30, 1974. The Commission's records do not show that the transfer has been consummated.

We are informed by letter received April 15, 1974 from Desert Belt Transportation Co., that it no longer desires to transfer its authority to Western States Construction, Inc., and requests that the order be cancelled.

In the matter of a joint application, where one of the parties withdraws, the authorization granted is of no effect, as neither party can complete the transaction without the agreement of the other.

After consideration the Commission finds that the authority granted by Decision No. 81854, dated September 12, 1973, in Application No. 54122, should be rescinded. A public hearing

A. 54122 - LTC

is not necessary; therefore,

IT IS ORDERED that Decision No. 81854, supra is hereby vacated on the date hereof.

Dated at Los Angeles, California, this 7th day of May, 1974.

President
William S. ...

[Signature]

[Signature]
Commissioners

Commissioner Vernon L. Sturgeon, being necessarily absent, did not participate in the disposition of this proceeding.

Commissioner J. P. Vukasin, Jr., being necessarily absent, did not participate in the disposition of this proceeding.