

ORIGINALDecision No. 82979

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application
of PENGUIN TRUCKING CO., INC., a
California corporation, to acquire
a portion of the Certificate of
Public Convenience and Necessity
of ALCO TRANSPORTATION CO., and
ALCO TRANSPORTATION CO. to
transfer same.

Application No. 54817
(Filed April 17, 1974)

O P I N I O N

Alco Transportation Co. requests authority to sell and transfer, and Penguin Trucking Co., Inc. requests authority to purchase and acquire, that portion of a general commodity certificate of public convenience and necessity authorizing the transportation of commodities requiring the use of special refrigeration or temperature control in specially designed and constructed equipment.

The certificate was granted by Decision No. 81377 dated May 15, 1973 in Application No. 53212 and authorizes the transportation of general commodities between points and places within an area from the Los Angeles Basin Territory, on the north, to the San Diego Territory, on the south. The agreed consideration for the transfer of the refrigerated authority is \$4,500 payable as follows: \$2,500 in cash and the balance payable in monthly installments of \$500 or more with interest at the rate of 10 percent per annum on the unpaid balance.

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The proposed transfer would divide a certificate according to commodities and create two certificates in the place of one. It is a proposal that the Commission believes could establish a precedent tending toward the trafficking in certificates.

After consideration the Commission finds that the proposed transfer would be adverse to the public interest and should be denied. A public hearing is not necessary.

O R D E R

IT IS ORDERED that Application No. 54817 is denied.

The effective date of this order shall be twenty days after the date hereof.

Dated at San Francisco, California, this 18th
day of JUNE, 1974.

I dissent
William Symons, Jr.
Commissioner

James L. Sturgeon
President
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Commissioners