

Decision No. 83382**ORIGINAL**

## BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of LEE WAY MOTOR FREIGHT,  
INC., a Delaware corporation and  
JOHANSEN SUPERIOR TRUCK COMPANY, a  
California corporation, for authority  
to purchase capital stock and for  
interim relief for Lee Way to  
temporarily control Johansen through  
management.

Application No. 54897  
(Filed May 21, 1974)

O P I N I O N

Lee Way Motor Freight, Inc. (Lee Way), a Delaware corporation authorized to do business in California, requests authority pursuant to Section 854 of the Public Utilities Code of the State of California to acquire control of Johansen's Superior Truck Company (Johansen), a California corporation engaged in business as a highway common carrier as defined in Section 213 of the Public Utilities Code. Lee Way proposes to acquire control of Johansen through the purchase of Johansen's outstanding capital stock.

Johansen operates as a highway common carrier pursuant to a certificate of public convenience and necessity issued by this Commission in Decision No. 62285 in Application No. 43060. The certificate was registered with the Interstate Commerce Commission, and therefore authorizes operations in both interstate and intrastate commerce.

Lee Way is a highway common carrier operating in interstate and intrastate commerce. It holds a certificate of public convenience and necessity as a highway common carrier pursuant to Decision No. 78503 and related decisions.

The basis for applicant's request is the poor financial condition of Johansen and the ill health of its owner, Mrs. Katherine Johansen.

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After consideration the Commission finds that the proposed acquisition of Johansen by Lee Way would not be adverse to the public interest and concludes that it should be authorized. A public hearing is not necessary.

The action taken herein shall not be construed as a finding of the value of any stock of Johansen.

O R D E R

IT IS ORDERED that Lee Way Motor Freight, Inc., on or after the date hereof and on or before February 3, 1975 may acquire control of Johansen's Superior Truck Company.

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 4th  
day of SEPTEMBER, 1974.

Vernon L. Stenger  
President  
William J. Stenger, Jr.  
[Signature]  
[Signature]  
Commissioners