

Decision No. 83561**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of MICHAEL G.)
 MARINELLI, doing business as M &)
 L Trucking Company, Transferor,)
 and M & L TRUCKING COMPANY, INC.,)
 a California corporation, Trans-)
 feree, and ENRICO A. ROSSO AND)
 NORBERT O. ARTLIP, buyers, for)
 authority to transfer operating)
 rights of a highway common)
 carrier to a newly formed)
 corporation; for a newly formed)
 corporation to issue stock; and)
 for acquisition of control by)
 buyers of said newly formed)
 corporation through purchase of)
 said stock.)

Application No. 54183

SUPPLEMENTAL ORDER

M & L Trucking Company, Inc., acquired a certificate of public convenience and necessity authorizing it to operate as a highway common carrier pursuant to a transfer authorized by Decision No. 81969 dated October 2, 1973 in Application No. 54183.

The Commission's records show that Mr. Enrico A. Rosso is one of the principal stockholders of M & L Trucking Company, Inc. In addition, they indicate that Mr. Rosso is a substantial shareholder and operating manager of a Berkeley business concern, Merit Tank & Body, Inc., which company could utilize the transportation services of M & L Trucking Company, Inc.

In the circumstances, the Commission finds that a carrier-shipper affiliation exists between M & L Trucking Company, Inc., and Merit Tank and Body, Inc., and concludes that a restriction denoting such fact should be placed in the carrier's certificate. A public hearing is not necessary.


IT IS ORDERED that:


1. Appendix A of Decision No. 81969 is amended by substituting First Revised Page 3, attached hereto, in place and stead of Original Page 3.

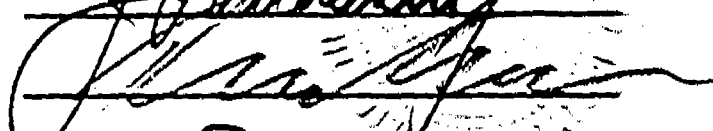
2. In all other respects, the provisions of Decision No. 81969 shall remain in full force and effect.


The effective date of this order shall be the date hereof.

Dated at San Francisco, California this 8th day of October, 1974.



President





Commissioners

Appendix A
(Dec. 81969)

M & L TRUCKING COMPANY, INC.
(a corporation)

First Revised Page 3
Cancels
Original Page 3

along Capitol Avenue to State Highway 238 (Oakland Road); northerly along State Highway 238 to Warm Springs; northerly along State Highway 238 (Mission Blvd.) via Mission San Jose and Niles to Hayward; northerly along Foothill Blvd. and MacArthur Blvd. to Seminary Avenue; easterly along Seminary Avenue to Mountain Blvd.; northerly along Mountain Blvd. to Warren Blvd. (State Highway 13); northerly along Warren Blvd. to Broadway Terrace; westerly along Broadway Terrace to College Avenue; northerly along College Avenue to Dwight Way; easterly along Dwight Way to the Berkeley-Oakland Boundary Line; northerly along said boundary line to the Campus Boundary of the University of California; westerly, northerly and easterly along the campus boundary to Euclid Avenue; northerly along Euclid Avenue to Marin Avenue; westerly along Marin Avenue to Arlington Avenue; northerly along Arlington Avenue to San Pablo Avenue (State Highway 123); northerly along San Pablo Avenue to and including the City of Richmond to Point Richmond; southerly along an imaginary line from Point Richmond to the San Francisco waterfront at the foot of Market Street; westerly along said waterfront and shoreline to the Pacific Ocean; southerly along the shoreline of the Pacific Ocean to point of beginning.

*RESTRICTION:

Whenever M & L Trucking Company, Inc. engages other carriers for the transportation of property of Enrico A. Rosso and/or Merit Tank & Body, Inc., or customers or suppliers of said individual or corporation, M & L Trucking Company, Inc., shall not pay such other carriers rates and charges less than the rates and charges published in M & L Trucking Company, Inc.'s tariffs on file with this Commission.

(END OF APPENDIX A)

Issued by California Public Utilities Commission.

*Amended by Decision No. 83561, Application No. 54163.