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Decision No. 83947

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
WELLS CARGO, INC., a corporation,
for Interim Authority to lease and
operate the operating authority and
specified equipment of WESTERN TRUCK
LINES, a corporation.

Application No. 55400
(Filed December 19, 1974)

O P I N I O N

Applicant Wells Cargo, Inc. (Wells Cargo) has applied to operate the equipment of Western Truck Lines (Western) under the certificates held by Western, subject to the terms of a purchase and lease agreement wherein \$3,000 per month will be paid for use of the operating authority and \$4,000 a month for the equipment. The Interstate Commerce Commission granted the authority to temporarily lease the Western certificates and operating equipment on December 12, 1974, providing that operation under the lease is started prior to January 12, 1975. An application to sell and transfer the equipment and operating rights has been filed with the Interstate Commerce Commission. A grant of this application will enable Wells Cargo to continue the Western operation while the application to sell the properties is being decided. When the ICC application is granted a petition will be filed to transfer the intrastate authority.

It is alleged that Western is operated by a husband and wife. Both are ill and the stress of operating the business is ruining their health. It is further alleged that Western lost \$33,876 over the past 12 months and has a deficit of \$105,941 in retained earnings. A new labor contract negotiated after a strike will increase driver and dock worker expense by 50 percent. Wells Cargo will easily absorb the additional costs and continue to

maintain Western's service. A copy of the application has been mailed to California Trucking Association and no protests have been received.

Findings

1. The lease of the certificates and operating authority of Western would not be adverse to the public interest.

2. The application should be granted.

3. A public hearing is not necessary.

We conclude that the application should be granted.

O R D E R

IT IS ORDERED that:

1. Wells Cargo, Inc. and Western Truck Lines, on and after the date hereof and on or before January 12, 1975, may execute a purchase agreement and temporary lease of operating rights and equipment in the form and for the purpose set forth in the application herein.

2. The Commission shall be notified in writing within thirty days after the execution of the agreements.

3. Within sixty days after the effective date hereof and on not less than one day's notice to the Commission and the public,

applicants shall amend the tariffs presently on file with the Commission in the name of Western Truck Lines to reflect the authority herein granted.

The effective date of this order is the date hereof.

Dated at San Francisco, California, this
30th day of DECEMBER, 1974.

Vermon L. Shingler
President
William Symons Jr.
Thomas Moran
Robert E. McDavid
Commissioners