

Decision No. 85760

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
CALIFORNIA RAPID TRANSFER, INC. for)
authority under Section 851 of the)
Public Utilities Code to transfer)
operating rights to John Caldwell)
doing business as CALDWELL'S)
EXPRESS TRUCKING CO.)

Application No. 54981
(Filed June 21, 1974)

ORDER REVOKING ORDER GRANTING AUTHORITY
TO TRANSFER AND RESCINDING ORDER OF DISMISSAL

By Decision No. 83724 dated November 19, 1974, we authorized California Rapid Transfer, Inc. to transfer its highway common carrier certificate of public convenience and necessity to John Caldwell, an individual doing business as Caldwell's Express Trucking Co. We also issued an in lieu certificate to the transferee and provided for revocation of the certificate held by the transferor. The order also provided for completion of the transfer on or before December 31, 1974.

Because of a combination of unforeseen circumstances which culminated in serious financial reverses for the transferee, the latter is unable to complete the transaction. On February 18, 1976 we dismissed the application to transfer.


In view of the foregoing and after consideration, the Commission concludes that the dismissal of the application issued by Decision No. 85474 dated February 18, 1976 should be rescinded and that the grant of authority to transfer the operative rights set forth in Decision No. 83724, as amended, should be revoked. This procedure will remove any cloud on the certificate of public convenience and necessity possessed by California Rapid Transfer, Inc.

The Commission further concludes that the effective date of this order should be the date on which it is signed because there is no known opposition and no reason to delay the necessary correction of the Commission's records.

IT IS ORDERED that the dismissal of the application ordered by Decision No. 85474 dated February 18, 1976 is hereby rescinded and that the grant of authority to transfer the operative rights of California Rapid Transfer, Inc. to John Caldwell, doing business as Caldwell's Express Trucking Co., contained in Decision No. 83724 dated November 19, 1974 is hereby revoked.

The effective date of this order is the date hereof.

Dated at San Francisco, California, this LE
day of MAY, 1976.


President






Commissioners

Commissioner William Symons, Jr., being necessarily absent, did not participate in the disposition of this proceeding.