

ORIGINAL

Decision 82 02 028 FEB - 4 1982

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
DOUGLAS WILLIAMS, an individual, for)
authority pursuant to Section 854 of)
the California Public Utilities Code)
to acquire control of COOPERATIVE)
DELIVERY SERVICE, INC.)

Application 60338
(Filed March 9, 1981)

O P I N I O N

Douglas Williams (Williams) proposes to acquire control under Public Utilities (PU) Code § 854 of Cooperative Delivery Service, Inc. (Coop) through acquisition of all of the outstanding stock of Coop from Deborah Casden (Casden).

Coop holds a certificate of public convenience and necessity created under PU Code § 1063.5. As a certificated common carrier, it is governed by the provisions of PU Code § 854 (cf. § 216(a)). Coop is also a contract carrier (T-109560).

Williams has a general interest in transportation and plans to pay \$7,500 for the stock. He allegedly can supply additional funds as needed.

Decision 93855 dated December 15, 1981 in Application 60521 (App. of Seguin and Brady Matthews, Inc.) established that PU Code § 1064.5 is not applicable to transactions in the stock of incorporated carriers which possess § 1063.5 authority. Therefore, approval of this transaction does not require a restatement of Coop's operating authority.

Notice of the application appeared in the Commission's Daily Calendar of March 13, 1981. No protests have been received.

Findings of Fact

1. No public hearing is necessary.
2. The proposed transfer of control is not adverse to the public interest.
3. The following order has no reasonably foreseeable impact upon the energy efficiency of highway carriers.

Conclusions of Law

1. This transaction is not governed by § 106L.5.
2. The certificate of public convenience and necessity held by Coop need not be restated.
3. Williams should be authorized to assume control of Coop.

O R D E R

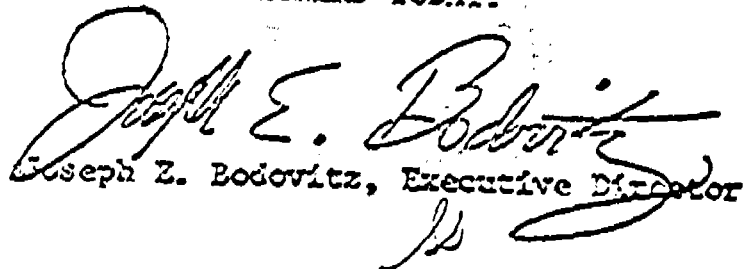
IT IS ORDERED that Douglas Williams is authorized to purchase a controlling interest in Cooperative Delivery Service, Inc.

This order becomes effective 30 days from today.

Dated FEB 4 1982, at San Francisco, California.

JOHN E. BRYSON
President
RICHARD D. GRAVELLE
LEONARD M. GRIMES, JR.
VICTOR CALVO
PRISCILLA C. GREW
Commissioners

I CERTIFY THAT THIS DECISION
WAS APPROVED BY THE ABOVE
COMMISSIONERS TODAY.


Joseph Z. Bodovitz, Executive Director