

ORIGINAL

Decision 82 02 030 FEB - 4 1982

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Applica- )  
tion of DWIGHT DOUGLAS HOLLAND, )  
an individual, and GLENN EDWIN )  
MORGAN, an individual, to )  
transfer a Common Carrier )  
Certificate, pursuant to )  
Sections 851 and 1064.5, )  
et seq., of the California )  
Public Utilities Code. )

Application 60690  
(Filed June 22, 1981)

O P I N I O N

Glenn Edwin Morgan (seller), an individual doing business as Glenn's Transport, requests authority to sell and Dwight Douglas Holland (purchaser), an individual doing business as Dwight Holland's Transport, seeks authority to purchase a certificate of public convenience and necessity.

The highway common carrier certificate was issued to seller under Public Utilities (PU) Code Section 1063.5 in Application GC 6342 under File T-119,951. It authorizes the statewide transportation of general commodities, with the usual exclusions.

Under PU Code Section 1064.5, the certificate, for a period of five years, may only be transferred to the extent of operations actually conducted in good faith. The seller has submitted evidence of operation under the certificate in the following counties:

Kern	San Diego
Los Angeles	San Luis Obispo
Riverside	Tulare
San Bernardino	Ventura

This evidence was filed as Exhibit 1 to the application.

That portion of the certificate is to be transferred and the remainder is to be revoked, as the seller has moved to North Carolina.

Purchaser holds a highway contract carrier permit and a heavy specialized carrier permit under File T-130,388. The proposed transfer will allow him to expand his operations. The agreed purchase price for the operating authority to be transferred is \$50.00.

Purchaser has submitted a financial statement for the year ending December 31, 1980 which shows a net worth of \$43,878.

A copy of the application was furnished to the California Trucking Association. Notice of the filing of the application appeared in the Commission's Daily Calendar of July 1, 1981. No protests have been received.

Findings of Fact

1. Purchaser has the experience, equipment, and financial resources necessary to initiate and maintain the proposed service.
2. A public hearing is not necessary.
3. The following order has no reasonably foreseeable impact upon the energy efficiency of highway carriers.

Conclusions of Law

The proposed transfer is not adverse to the public interest and should be authorized.

Only the amount paid to the State for operative rights may be used in rate fixing. The State may grant any number of rights and may cancel or modify the monopoly feature of these rights at any time.

O R D E R

IT IS ORDERED that:

1. Glenn Edwin Morgan, an individual, may sell and transfer the operative rights specified in the application to Dwight Douglas Holland, an individual. This authority shall expire if not exercised by May 1, 1982, or within such additional time as the Commission may authorize.

2. Purchaser shall:

- a. File with the Transportation Division written acceptance of the certificate and a copy of the bill of sale or other transfer document within 30 days after transfer.
- b. Amend, adopt, or reissue seller's tariffs. The tariffs shall not be effective before the date of transfer, nor before 5 days' notice is given to the Commission.
- c. Comply with General Orders Series 80, 100, 104, and 147, and the California Highway Patrol safety rules.
- d. Maintain accounting records in conformity with the Uniform System of Accounts.

3. If the transfer is completed, on the effective date of the tariffs a certificate of public convenience and necessity is granted to Dwight Douglas Holland, an individual, authorizing him to operate as a highway common carrier, as defined in PU Code Section 213, within and between the points listed in Appendix A.

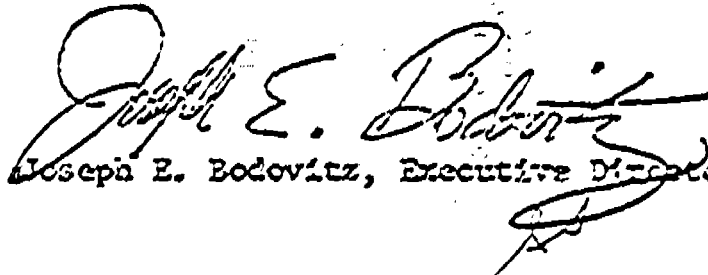
4. The certificate of public convenience and necessity granted in Application GC 6342 is revoked on the effective date of the tariffs.

This order becomes effective 30 days from today.

Dated FEB 4 1962, at San Francisco, California.

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

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

  
Joseph E. Bodovitz, Executive Director

Dwight Douglas Holland by the certificate of public convenience and necessity granted in the decision noted in the margin, is authorized to conduct operations as a highway common carrier as defined in Section 213 of the Public Utilities Code for the transportation of general commodities as follows:

Within and between points in the following counties:

Kern	San Diego
Los Angeles	San Luis Obispo
Riverside	Tulare
San Bernardino	Ventura

Except that under the authority granted, carrier shall not transport any shipments of:

1. Used household goods and personal effects, office, store, and institution furniture and fixtures.
2. Ordinary livestock.
3. Petroleum or petroleum products in tank trucks or tank trailers.
4. Mining, building, paving, and construction materials, except cement or liquids, in bulk in dump truck equipment.

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5. Portland or similar cements, either alone or in combination with lime or powdered limestone, in bulk or in packages, when loaded substantially to capacity.

In performing the service authorized, carrier may make use of any and all streets, roads, highways, and bridges necessary or convenient for the performance of this service.

(END OF APPENDIX A)

Transferred from Certificate GC 6342 issued under PU Code Section 1063.5 on April 30, 1980.

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Noncontinuity Transfer - PU Code Section 1064.5 applies.