

ORIGINAL

Decision 82 09 035 SEP 8 1982

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 THE BEKINS COMPANY, DATA)
 TRANSPORTATION CO., INC., and)
 BEKINS NEW PRODUCTS CO., for)
 authority to transfer the assets)
 of BEKINS NEW PRODUCTS CO. to)
 DATA TRANSPORTATION CO., INC.)
 and to operate BEKINS NEW)
 PRODUCTS CO. as a Division of)
 DATA TRANSPORTATION CO., INC.,)
 under the Fictitious Name of)
 BEKINS NEW PRODUCTS CO.)

Application 82-02-05
(Filed February 2, 1982)

O P I N I O N

The Bekins Company (Bekins), Data Transportation Co., Inc. (Data), and Bekins New Products Co. (BNP) seek authority to transfer the assets of BNP to Data. Data will continue BNP's operations using BNP's corporate name as a fictitious name.

Bekins is a California noncarrier corporation which holds all the stock of Data and BNP, both of which hold highway common carrier certificates under Public Utilities Code § 1063.5. If the authority is granted, BNP will surrender its certificate (GC-5721) and highway contract carrier permit (T-86,594).

Data also holds highway contract carrier authority (T-83,385). Its highway common carrier authority was issued in GC-5689.

It is claimed that both corporations operate within the full territorial scope of their respective statewide authorities, with Data specializing in the transportation of computers and related equipment. BNP is primarily engaged in the transportation of new furniture and fixtures.

BNP certifies that it is not a party to any joint or through rates with any other carrier and that operations under the rights to be transferred are being continued. Significant steps in the merger process were effectuated before the application was filed. Balance sheets for both Data and BNP individually and on a consolidated basis as of March 31, 1981 were attached.

It is alleged that the merger will permit more effective management and promote efficiency without any significant effect on competition or on operations.

We find that the proposed merger, transfers of property, and cancellation of operating authority are not adverse to the public interest and conclude that the application should be granted. We further conclude that Data needs no authority to conduct part of its operations under the fictitious name of Bekins New Products Co.

A copy of the application has been furnished to the California Trucking Association. Notice of the filing of the application appeared in the Commission's Daily Calendar of February 8, 1982. No protests have been received.

O R D E R

IT IS ORDERED that:

1. The certificate of public convenience and necessity and the highway contract carrier permit held by Bekins New Products Co. under File T-86,594 are canceled.

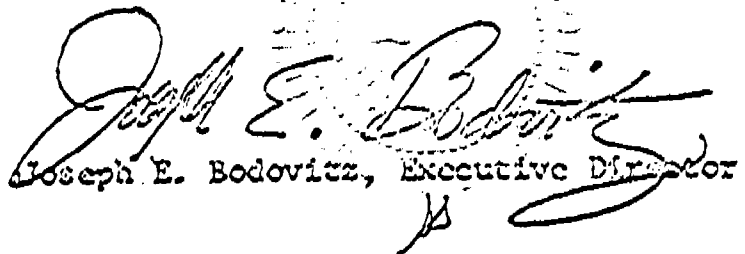
2. The merger of Bekins New Products Co. into Data Transportation Co., Inc., and the transfer of the former's assets to the latter are ratified.

This order becomes effective 30 days from today.

Dated SEP 8 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 E. Bodovitz, Executive Director