

Process
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Decision 83-06-019 September 7, 1983

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
ICS Communications, a California
corporation, for authority to
purchase capital stock of Valley
Mobile Communications, Inc., from
Gillian Curry.

Application 83-06-57
(Filed June 27, 1983)

O P I N I O N

ICS Communications (ICS), a California corporation and a certificated radiotelephone utility (RTU), and Gillian Curry seek authority under Public Utilities (PU) Code §§ 852 and 854 for ICS to buy and Curry to sell her 299 of the 600 issued and outstanding shares of Valley Mobile Communications, Inc. (Valley), a California corporation and a RTU. The purchase price is \$37,500, with \$25,000 cash as a down payment and \$12,500 in quarterly installments under a promissory note.

ICS states that it provides RTU service in San Bernardino, Riverside, Orange, Los Angeles, San Diego, and Ventura Counties. Valley provides RTU service in the Cities of Lancaster and Palmdale and environs.

Findings of Fact

1. No protests have been filed and a public hearing is not necessary.
2. The granting of the application would be in the public interest since ICS' experience in the RTU business will be helpful to the management of Valley.
3. ICS' 1982 financial statements show common and preferred stock at \$1,920 and \$888,000, respectively, for a total of \$889,920.
4. ICS' 1982 financial statements show under current liabilities current contracts and notes totalling \$114,305.09, or \$126,805.09 when the subject \$12,500 note is added.

5. Total short-term debt (\$126,305.09) as a percent of other securities outstanding (\$889,920) is 14.2%.

Conclusions of Law

1. PU Code § 854 does not apply to this proceeding because, as a minority shareholder, ICS will not control Valley.

2. ICS does not require the Commission's authority to issue promissory notes payable at periods of not more than 12 months after date of issuance (PU Code § 823(b)) unless the total of all such short-term debt exceeds 5% of the par value of the other securities then outstanding. (PU Code § 823(c).)

3. With net worth of \$3.1 million ICS is financially able to incur additional short-term debt of \$12,500.

4. ICS' request for authority to issue a promissory note of \$12,500 should be granted. ✓

5. ICS' request under PU Code § 852 to buy the stock of Curry should be granted.

6. There being no reason why this transaction should be delayed, this order should be effective today.

O R D E R

IT IS ORDERED that:

1. ICS Communications (ICS) may buy and Gillian Curry may sell 299 shares of common stock of Valley Mobile Communications, Inc.
2. ICS may issue to Curry its promissory note for \$12,500 for a term not exceeding one year.

This order is effective today.

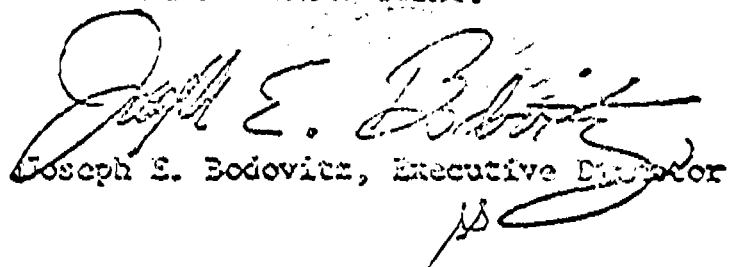
Dated SEP 7 1983, at San Francisco, California.

Commissioner William T. Bagley
being necessarily absent, did
not participate.

LEONARD M. GRIMES, JR.
President

VICTOR CALVO
FRISCILLA C. GREW
DONALD VIAL
Commissioners

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


Joseph E. Bodovitz, Executive Director

SEP 7 1983

Decision 83 09 019**ORIGINAL**

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