

Decision 83 10 056 OCT 19 1983

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of RICK GONZALEZ for authority)
to acquire.)

Application 83-06-31
(Filed June 17, 1983)

O P I N I O N

Rick Gonzalez (Rick) has applied for authority to control Gonzalez Freight Lines, Inc. (Gonzalez). Gonzalez is a California corporation. Its Articles of Incorporation were filed on October 13, 1975. A certified copy of the articles is attached to the present application.

Gonzalez operates as a certificated highway common carrier under authority of Decision (D.) 86071 dated July 1, 1976 in Application (A.) 56357, and D.82-05-065 dated May 17, 1982 in A.82-02-06. Gonzalez also holds highway contract and agricultural carrier permits under File T-115,871.

Gonzalez has issued 35,000 shares of capital stock, which are held by William J. Gonzalez, Rick's father. Rick will purchase 12,895 shares from his father, who is retiring from active control of the business. The purchase price is \$35,000, with \$20,000 due as a down payment and the remainder to be paid at \$140.47 per month, under the terms of a promissory note. The corporation will purchase the remaining 22,105 shares for \$60,000 under the terms of another promissory note payable over a four-year period and secured by motor vehicles owned by the corporation and by a life insurance policy on Rick. Balance sheets for Rick and Gonzalez were filed with the application. Both appear financially sound.

A copy of the application was mailed to the California Trucking Association office in Burlingame on June 17, 1983, and the filing of the application was noted in the Commission's Daily Transportation Calendar of June 22, 1983. No protests have been received.

Findings of Fact

1. The transaction and the proposed security agreement encumbering the corporation are not adverse to the public interest.
2. The transfer and sale of the stock are for a proper purpose.
3. A public hearing is not necessary.
4. Rick should be authorized to assume control of the corporation.
5. The action taken shall not be construed as a finding of value of the capital stock of Gonzalez.

Conclusion of Law

The application should be granted.

O R D E R

IT IS ORDERED that:

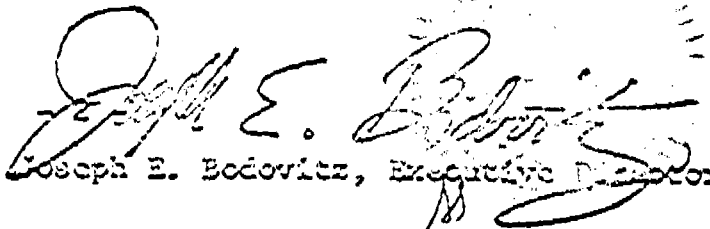
1. Rick Gonzalez may control Gonzalez Freight Lines, Inc., a California corporation.
2. Gonzalez Freight Lines, Inc. may execute and deliver a Security Agreement in substantially the same form as Exhibit A attached to the application.
3. Written notice of the consummation of the control transaction authorized shall be filed with the Commission within 10 days after its completion.

This order becomes effective 30 days from today.

Dated OCT 19 1983, at San Francisco, California.

LEONARD M. CRIMES, JR.
President
VICTOR CALVO
PRISCILLA C. GREW
DONALD VIAL
WILLIAM T. BAGLEY
Commissioners

I CERTIFY THAT THIS DECISION
WAS APPROVED BY THE
COMMISSIONERS FOR THE


Joseph E. Bodovitz, Executive Director