

ORIGINAL

Decision No. 87549

July 6, 1977

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of  
 DAN D. SISEMORE, an individual, to  
 control MORE TRUCK LINES, a corpora-  
 tion, and a cement carrier, petroleum  
 irregular route carrier and a highway  
 permit carrier.

Application No. 57260  
 (Filed April 25, 1977)

O P I N I O N

Pursuant to the provisions of Sections 3551<sup>1/</sup> and 854 of the Public Utilities Code, Dan D. Sisemore requests authority to exercise control of More Truck Lines.

It is alleged that More Truck Lines was incorporated in 1960 at which time 600 shares of its capital stock was issued to Jess D. Sisemore and 600 shares to his son, Dan D. Sisemore; that on November 1, 1976 Jess D. Sisemore executed a contract with the corporation to sell his 600 shares of stock for the sum of \$50,000; that on the same date Jess D. Sisemore resigned as director and the president of the corporation and was succeeded by Dan D. Sisemore; and that as a result Dan D. Sisemore has become the sole shareholder of the corporation.

After consideration the Commission finds that control of More Truck Lines by applicant would not be adverse to the public interest. A public hearing is not necessary.

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<sup>1/</sup> "3551. No person or corporation, whether or not organized under the laws of this state, shall, after the effective date of this section, acquire or control either directly or indirectly any highway carrier organized and doing business in this state without first securing authorization to do so from the commission. Any such acquisition or control without such prior authorization shall be void and of no effect. No highway carrier organized and doing business under the laws of this state shall aid or abet any violation of this section."

The motion to dismiss which applicant filed in the proceeding in the event Sections 3551 and 854 of the Public Utilities Code were not applicable will be denied.

O R D E R

IT IS ORDERED that:

1. Dan D. Sisemore may exercise control of More Truck Lines and the motion to dismiss is denied.

2. Within ninety days after the date hereof Dan D. Sisemore and More Truck Lines, a corporation, shall file reports informing the Commission whether or not the control authorized has been completed.

The effective date of this order shall be twenty days after the date hereof.

Dated at San Francisco, California, this 6th day of July, 1977.

Robert B. Baker  
President  
William J. Lyons  
James L. Stedman  
Richard W. Howell  
Commissioners