

ORIGINAL

Decision No. 87552 July 6, 1977

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
)
 AMERICAN PACIFIC STAGE COMPANY,)
 a California corporation, for authority)
 to sell and transfer operating equipment,)
 enter into a sublease agreement and issue)
 a financing statement.)

Application No. 57393
(Filed June 21, 1977)

O P I N I O N

This is an application for an order of the Commission authorizing American Pacific Stage Company (American) to sell and transfer certain buses, to enter into a sublease agreement and to execute a financing statement.

American, a California corporation, is a common carrier authorized to operate as a passenger stage corporation over and along specified routes in southern California. The company also possesses a Class A Charter Party Carrier certificate.

By Decision No. 87359, dated May 17, 1977 in Application No. 57261, A. B. Allen and Warren K. Miller were authorized to sell and transfer, and Ampac Financial Corporation (Ampac) was permitted to purchase and acquire, all 30 shares of the issued and outstanding stock of American. In order to secure part of the financing necessary to consummate the transaction, American proposes to sell and transfer to Crown Coach Corporation five buses for a total consideration of \$335,000. Through a series of subleases, the five buses would ultimately be subleased back to American pursuant to terms and provisions of a sublease agreement between Ampac and American, and the latter would execute and issue a financing statement in connection therewith.

The parties state that these transactions would allow for the orderly sale and transfer of the stock in American, would not cause any inconvenience to the general public, and would allow for American to continue operations pursuant to its existing operating authority heretofore issued to it by this Commission.

The Commission has considered this matter and finds that: (1) the proposed sale and series of leases are in effect a single transaction involving a sale and lease-back by American of the five buses described in the application; (2) there is no known opposition to the application; (3) there is no reason not to grant the authority requested; and (4) a public hearing is not necessary. The Commission concludes that the application should be granted.

The action taken herein shall not be construed as a finding of the value of the buses to be transferred, nor as indicative of amounts to be included in proceedings for the determination of just and reasonable rates.

O R D E R

IT IS ORDERED that:

1. American Pacific Stage Company may sell and transfer to Crown Coach Corporation five buses under conditions and for the purpose specified in the application.
2. American Pacific Stage Company may execute and deliver a security agreement in substantially the same form as that attached to the application as Exhibit B.

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3. This application is dismissed insofar as it seeks authority to execute a sublease agreement.

4. The effective date of this order is the date hereof
Dated at San Francisco, California, this 6th
day of JULY, 1977.

Paul B. Berman

 President
William J. Quinn

Vernon L. Johnson

Richard D. Smith

 Commissioners