

Decision No. 87635 JUL 19 1977

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of GENE VRABEL	)	
to acquire control through	)	Application No. 57347
stock ownership to JAVCO	)	(Filed May 26, 1977)
TRUCKING, a public utility	)	

O P I N I O N

By this application, Gene Vrabel, an individual, (buyer), seeks authority under Sections 854 and 3551 of the Public Utilities Code to control Javco Trucking a California corporation.

Javco Trucking currently operates under a Certificate of Public Convenience and Necessity as a highway common carrier. Said certificate was granted pursuant to Decision 12823 dated November 14, 1923 in Case 1871 and was acquired by Javco Trucking pursuant to Decision 72376 dated May 2, 1967 in Application 49252. It authorizes the transportation of general commodities in a portion of Los Angeles County.

The carrier also operates under permits issued by this Commission in File No. T-68,091 and in interstate and foreign commerce pursuant to a Certificate of Registration issued by the Interstate Commerce Commission under Docket No. MC 121154 (Sub No. 1).

There have been issued and are outstanding 2,500 shares of common, \$10.00 per value, per share, capital stock; 1,250 shares held by Vincent Frontino and 1250 shares held by Jerry Frontino. Pursuant to an agreement for sale of stock entered into on May 25, 1977, buyer agreed to purchase all 2,500 shares of Javco Trucking outstanding stock for the total sum of \$165,000, payable as follows:

- (a) \$21,000 paid into escrow upon execution of the Agreement for Sale of Stock, to be delivered to the sellers upon approval by the exchange of shares by the Commission.
- (b) \$44,000 together with interest at the rate of 8% per annum from May 18, 1977 on the unpaid balance, payable in installments of \$8,212.38 or more, interest included

commencing August 18, 1977 and the 18th day of every 3rd month following August 18, 1977 until the balance is paid in full.

Gene Vrabel is presently the sole stockholder of Gene's Services, Inc., which holds permits from this Commission under File T-112,800 as a radial highway common carrier and a highway contract carrier. This enterprise will be operated independently of Javco Trucking and Gene Vrabel proposes to be President and Chief Executive Officer of both corporations. He is familiar with all aspects of the motor carrier transportation business having had 20 years of experience in operating, clerical and executive positions.

Applicant requests relief from the provisions of the Commission's Rules of Practice and Procedure which require wide dissemination of the application. A copy of the application was mailed to the California Trucking Association. Notice of the filing of the application appeared in the Commission's Daily Calendar of May 31, 1977. No protests to the application have been received.

After consideration, the Commission finds that control of Javco Trucking by Gene Vrabel would not be adverse to the public interest.

The Commission concludes that the acquisition of control of Javco Trucking as requested in the application should be authorized, a public hearing is not necessary. The action taken herein shall not be construed as a finding of value of the capital stock of Javco Trucking.

O R D E R

1. Gene Vrabel, an individual, may control Javco Trucking a California corporation.
2. Within ninety days after the date hereof, Gene Vrabel and Javco Trucking shall file reports informing the Commission whether or not the change in control authorized herein has been completed.
3. The applicant is granted a deviation from the Commission's Rules of Practice and Procedure to the extent requested in the application.

A. 57347 - SEG/jl

The effective date of this order is twenty (20) days after the date thereof.

Dated at San Francisco, California, this 19<sup>th</sup> day of JULY, 1977

Robert Bateman  
President

William J. Brown Jr.

Vernon L. Sturgeon

Richard P. Howell

Commissioners

Commissioner CLAIRE T. DEDRICK

Present but not participating.