

SEG/FS

Decision No. 89702

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the application)
of Milne Truck Lines, Inc., for)
authority to transfer operating)
properties and control of a)
Certificate of Public Convenience)
and Necessity to Sun Acquisition)
Corporation, and of Sun Acquisi-)
tion Corporation for authority)
to acquire said properties and)
certificate and issue a promis-)
sory note.)

Application No. 58424
(Filed October 30, 1978)

ORDER OF DISMISSAL

On November 3, 1978, applicant's attorney filed a motion to dismiss the application for lack of jurisdiction.


The Commission finds that the applicant's assertion of the exclusive and plenary jurisdiction of the Interstate Commerce Commission in this matter is correct and concludes that the application should be dismissed.

At such time as the Interstate Commerce Commission issues its order approving the acquisition of Milne Truck Lines, Inc., and the transfer of its operating authorities, the applicant shall file a copy of said order with this Commission together with an application to transfer the underlying intrastate certificate of Milne Truck Lines, Inc.

IT IS ORDERED that Application No. 58424 is hereby dismissed.

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 28th day of NOVEMBER, 1978.



FREDERICK E. JOHN
Executive Director
Public Utilities Commission
State of California