

Decision No. 89753 · DEC 12 1978

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of:)

JOHN M. GODINHO, an individual,)
to control GODINHO TRUCKING CO.,)
INC., a corporation, and a cement)
carrier and highway permit)
carrier.)

Application No. 58401
(Filed October 6, 1978)

O P I N I O N

By this application, John M. Godinho, an individual, seeks authority under Sections 854 and 3551 of the Public Utilities Code to control Godinho Trucking Co., Inc., a California corporation. The corporation currently operates under the following authorities granted to it by this Commission:

1. Certificate of public convenience and necessity to operate as a cement carrier from any and all points of origin to all points and places within the Counties of Kern, Los Angeles, Orange, Riverside, San Luis Obispo, Santa Barbara and Ventura. Said certificate was granted to the corporation by Decision 82777 dated April 23, 1974 in Application 54476.

2. Radial highway common carrier permit issued in File T-106,151 which authorizes the transportation of general commodities, with the usual exceptions, statewide within California.

According to the application, all of the corporation's 1,165 issued and outstanding shares of \$10 par value common capital stock are presently held by John C. Godinho. The aforesaid party, who now controls the corporation by reason of his stock ownership therein, seeks authority herein to transfer gratuitously all of such stock interest to his son, John M. Godinho, who serves as a director and as the president of the aforesaid corporation. Since there is

no cash payment or any other financial consideration involved in the proposed exercise of control of the corporation by John M. Godinho, no financial statements were submitted by applicant nor are any required.

A copy of the application was mailed by applicant to the California Trucking Association. In addition, notice of the filing of the application appeared on the Commission's Daily Calendar of October 11, 1978. No protest to the granting of the application herein has been received.

After consideration, the Commission finds that control of Godinho Trucking Co., Inc. by John M. Godinho would not be adverse to the public interest.

On the basis of the foregoing finding, the Commission concludes that the application should be granted. A public hearing is not necessary. The action taken herein shall not be construed as a finding of the value of the capital stock of Godinho Trucking Co., Inc.

O R D E R

IT IS ORDERED that:

1. John M. Godinho may control Godinho Trucking Co., Inc., a California corporation.
2. Within ninety (90) days after the effective date of this order, John M. Godinho and Godinho Trucking Co., Inc. shall file reports informing the Commission whether or not the change in corporate control authorized herein has been completed.
3. The radial highway common carrier permit held by Godinho Trucking Co., Inc. under File T-106,151 shall also reflect the change in control of said corporation authorized by the order herein.

A. 58401 - CAS/AVM

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

Dated at San Francisco, California, this 12th day of DECEMBER, 1978.

Robert Bateman
President
William S. Brown Jr.
Vernon L. Strigun
Robert D. Howell
Clive T. DeWitt
Commissioners