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ORIGINAL

Decision No. 11841

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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In the Matter of the Application of )  
 K. F. BEYERLE, doing business under )  
 the fictitious name and style of )  
 Marietta Valley Motor Freight Line, )  
 and Pickwick Stages, Inc., a corporation, )  
 for leave to the former to sell and the )  
 latter to buy and operate that certain ) Application No. 8768  
 automobile truck line or operative )  
 right for the transportation of freight )  
 and personal property between Los Angeles )  
 and Temecula and intermediate points. )  
 )

BY THE COMMISSION,

ORDER

K. F. Beyerle, doing business under the fictitious name and style of Marietta Valley Motor Freight Line, has filed a joint application with Pickwick Stages, Inc., a corporation, in which they petition the Railroad Commission for an order authorizing applicant Beyerle to lease with option to purchase and Pickwick Stages, Inc., to take over and operate a certain automotive freight line at the present time being operated by K. F. Beyerle between Los Angeles and Temecula, California, and certain intermediate points as hereinafter more specifically set out.

The operative rights herein proposed to be transferred were obtained by K. F. Beyerle under the following formal proceedings: Under Decision No. 6629 in Application No. 4698, dated August 29, 1919, the Railroad Commission issued to

K. F. Beyerle and Wm. A. Randle, co-partners, a certificate of public convenience and necessity authorizing the operation of an automotive truck line as a common carrier of freight between Los Angeles and Temecule, serving as intermediate points the communities of Glen Ivy, Alberhill, Elsinore, Sedco, Wildomar, Marietta and Marietta Hot Springs.

Under Decision No. 8230 in Application No. 6167, dated October 11, 1920, W. A. Randle was authorized to transfer to K. F. Beyerle his interest in said certificate. Under Decision No. 10661 in Application No. 7579, dated July 6, 1922, K. F. Beyerle was granted a certificate of public convenience and necessity authorizing the operation of a through freight truck service between Los Angeles and Corona, via Anaheim.

Under the agreement, heretofore entered into between applicants in this proceeding, it is proposed to pay applicant Beyerle the sum of \$12,000.00 for the property herein proposed to be transferred, which includes in addition to the operative right, one Ford 1-ton truck, one Federal 2-ton truck and one White 3/4-ton truck, payments to be made \$400.00 upon execution of the agreement of lease with option to purchase, \$3,600.00 payable ten (10) days after authorization of transfer, \$4,000.00 payable June 1st, 1923, and \$4,000.00 payable July 1st, 1923.

Pickwick Stages, Inc., a corporation, the proposed purchaser, has been engaged in the automotive stage business for a considerable period of time, is well versed in the operation of automotive carriers and will undoubtedly be in a position to render efficient service under the certificates herein proposed to be transferred.

We are of the opinion that this is a matter in which a public hearing is not necessary and that the application should

be granted.

IT IS HEREBY ORDERED that the above entitled application be, and the same hereby is granted, subject to the following conditions:

1. The consideration to be paid for the property herein authorized to be transferred shall never be urged before this Commission or any other rate fixing body as a measure of value of said property for rate fixing or any purpose other than the transfer herein authorized.

2. Applicant Beyerle shall immediately cancel tariff of rates and time schedule on file covering service, certificates for which are herein authorized to be transferred, such cancellation to be in accordance with the provisions of General Order No. 51 of the Railroad Commission.

3. Applicant Pickwick Stages, Inc. a corporation, shall immediately file, in duplicate, tariff of rates and time schedules covering service to be rendered under the certificates herein authorized to be transferred to them, or shall adopt as their own the tariff of rates and time schedules as filed by applicant Beyerle for such service. All tariff of rates and time schedules to be identical with those as filed by applicant Beyerle.

4. The rights and privileges herein authorized to be transferred may not be discontinued, sold, leased, transferred nor assigned unless the written consent of the Railroad Commission to such discontinuance, sale, lease, transfer or assignment has first been secured.

5. No vehicle may be operated by applicant Pickwick Stages, Inc. a corporation, unless such vehicle is owned by said corporation or is leased by it under a contract or agreement on a basis satisfactory to the Railroad Commission.

Dated at San Francisco, California, this 29<sup>th</sup> day of March, 1923.

C. Sweeney

H. H. Broun

J. J. Martin

Egerton Shore

J. P. Whittier

Commissioners