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ORIGINAL

Decision No. 11898

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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In the Matter of the Application of)
HARLAND O. MARTIN to sell and J. F.)
DOUGLAS to purchase an automobile : Application No. 8840
passenger and freight service bet-)
ween Oroville and Swayne's Logging)
Camp, California.

BY THE COMMISSION,

ORDER

Harland O. Martin and J. F. Douglas have filed a joint application with the Railroad Commission in which they petition for an order authorizing Martin to sell and Douglas to purchase a certain automobile stage line.

The operative rights herein proposed to be transferred were obtained by applicant Martin under Decision No. 7622 in Application No. 5672, dated May 26, 1920, which decision granted a certificate of public convenience and necessity to Harland O. Martin authorizing the operation of an automobile passenger and freight service between Oroville and Merrimac and intermediate points, California. Under Decision No. 9979 in Application No. 7458, dated January 9, 1922, the Commission granted to applicant Martin a certificate of public convenience and necessity to extend his existing service from Oroville to Merrimac to and including Swayne's Logging Camp. The extension to Swayne's Logging Camp to cover the operation of automobile passenger stage service only.

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. Applicant Douglas shall immediately file his written acceptance of the certificate herein authorized to be transferred, which written acceptance shall contain a statement to the effect that he fully understands his operative right between Merrimac and Swayne's Logging Camp provides for the transportation of passengers only and that such limitation will be strictly adhered to.

2. 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.

3. Applicant Harland O. Martin shall immediately cancel tariff of rates and time schedules on file with the Commission 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.

4. Applicant J. F. Douglas shall immediately file, in duplicate, tariff of rates and time schedules covering service certificates for which are herein authorized to be transferred to him, or adopt as his own the tariff of rates and time schedules as heretofore filed by applicant Martin covering said service. All rates and time schedules to be identical with those as filed by applicant Martin.

5. 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.

6. No vehicle may be operated by applicant Douglas unless such vehicle is owned by said applicant or is leased by him under a contract or agreement on a basis satisfactory to the Railroad Commission.

5-16 Dated at San Francisco, California, this day of April, 1923.

C. A. Sweeney

Livingston Martin

Robert Shore

J. J. Whittney
Commissioners