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Decision No. 11959

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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ORIGINAL

In the Matter of the Application of
JUSTIN R. REED to sell and ROY L.
SMITH to purchase an automobile
freight line operated between Middletown
and Calistoga, California.

)
: Application No. 8888
)

BY THE COMMISSION,

ORDER

Justin R. Reed has filed a joint application with Roy L. Smith in which they petition the Railroad Commission for an order authorizing Reed to sell and Smith to purchase and operate an automobile truck line operated between Middletown and Calistoga, California.

The operative right herein proposed to be transferred was obtained by applicant Reed under the provisions of Section 5 of Chapter 213, Statutes of 1917, through operation in good faith prior to May 1st, 1917, and continuously since. The certificate now held by Reed is the only property proposed to be transferred and the consideration therefor is given as the nominal sum of \$1.00.

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.

1.

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

Applicant Reed shall immediately cancel all tariff of rates and time schedules now on file with the Commission covering service, certificate for which is herein authorized to be transferred. Such cancellation to be in accordance with the provisions of General Order No. 51 of the Commission.

Applicant Smith shall immediately file, in duplicate, tariff of rates and time schedules covering service, certificate for which is herein authorized to be transferred to him, or adopt as his own the tariff of rates and time schedules now on file with the Commission by applicant Reed. All tariff of rates and time schedules to be identical with those as filed by applicant Reed.

The rights and privileges herein authorized to be transferred shall 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.

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

Dated at San Francisco, California, this 24th day of April, 1923.

C. Seamy
H. B. ...

J. T. Whittier
Commissioners