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Decision No. 12191

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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In the Matter of the Application of)
EARL W. DAVIS and F. H. FITZLAFF, to)
transfer all their right title and)
interest in and to EL DORADO MOTOR) Application No. 9106
TRANSPORTATION COMPANY, a co-partnership,)
to EL DORADO MOTOR TRANSPORTATION COMPANY,)
a corporation.)

BY THE COMMISSION,

ORDER

F. H. Fitzlaff and Earl W. Davis and the El Dorado Motor Transportation Company, a corporation, have filed a joint application with the Railroad Commission in which they petition for an order authorizing Fitzlaff and Davis to sell and the corporation to purchase a certain automobile stage line.

The operative right herein proposed to be transferred was originally obtained by applicants Fitzlaff and Davis under the provisions of Decision No. 6247 in Application No. 4279, dated April 11, 1919. This operative right authorizes the co-partners to operate an automotive truck line as a common carrier of freight between Sacramento and points on Lake Tahoe and intermediate points, excepting the carriage of freight between Sacramento and Folsom, inclusive.

The consideration to be paid is stated in the application as the nominal sum of \$10.00, the corporation intending to file a separate proceeding for permission to issue stock for the purpose of acquiring the equipment now operated by the

co-partners.

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. Applicants Fitzlaff and Davis shall immediately cancel tariff of rates and time schedules 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 Railroad Commission.
2. Applicant El Dorado Motor Transportation Company, a corporation, shall immediately file, in duplicate, tariff of rates and time schedules, or adopt as its own the tariff of rates and time schedules as heretofore filed by applicants Fitzlaff and Davis. All tariff of rates and time schedules to be identical with those as filed by applicant Fitzlaff and Davis, co-partners, for the service, certificate for which is herein authorized to be transferred.
3. 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.
4. No vehicle may be operated by applicant El Dorado Motor Transportation Company, a corporation, unless such vehicle is owned by said applicant or is leased by them under a contract or agreement on a basis satisfactory to the Railroad Commission.

Dated at San Francisco, California, this 9th day of June, 1923.

C. Seaver
H. B. Bannister
James Martin

Commissioners