

Decision No. 12446

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

-000-

ORIGINAL

In the Matter of the application of
WM. F. BOEHLERT to sell and transfer
and A. F. SCHWARTZ and ARDIS C. GRAY
to purchase and operate auto truck
freight line between Los Angeles,
Redondo, Hermosa, Manhattan and
intermediate points.

)
:
:
) Application No. 9244
:
:
)

BY THE COMMISSION,

ORDER

In this proceeding W. F. Boehlert has filed a joint application with the co-partnership consisting of Ardis C. Gray and A. F. Schwartz in which they petition for an order authorizing Boehlert to sell and the co-partnership to acquire and operate a certain automotive track line as more fully hereinafter described.

The operative right herein proposed to be transferred was obtained by applicant Boehlert under Decision No. 11842 in Application No. 8791, dated March 29, 1923, and authorizes the operation of an automotive track line as a common carrier of freight between Los Angeles, Redondo, Hermosa and Manhattan Beach.

The consideration to be paid for the property proposed to be transferred is given as the sum of \$6,000.00 and includes in addition to the operative right, one 2½-ton Auto car, one 2½-ton Mack truck and one 1½-ton Dodge truck, together with miscellaneous equipment, office furniture, etc.

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 Boehlert 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.

3. Applicants Gray and Schwartz, co-partners, shall immediately file, in duplicate, tariff of rates and time schedules covering the service, certificate for which is herein authorized to be transferred, or adopt as their own the tariff of rates and time schedules as heretofore filed by applicant Boehlert for said service, all rates and time schedules to be identical with those as filed by applicant Boehlert.

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 Gray and Schwartz, co-partners, unless such vehicle is owned by them or is leased by them under a contract or agreement on a basis satisfactory to the Railroad Commission.

Dated at San Francisco, California, this 2^d
day of August, 1923.

C. Seaver

James Martin
Carroll Shaw

J. T. Whittington
Commissioners