

ORIGINAL

In the Matter of the Application)
of DILLINGHAM TRANSPORTATION)
COMPANY, a corporation, to sell,)
and MOTOR COACH COMPANY, a cor -) APPLICATION NO. 9464
poration, to purchase automobile)
stage line operating rights.)

BY THE COMMISSION:

ORDER

Dillingham Transportation Company, a corporation, and Motor Coach Company, a corporation, have filed a joint application with the Railroad Commission in which they petition for an order authorizing Dillingham Transportation Company to sell and the Motor Coach Company to purchase and thereafter operate a certain automotive passenger stage line as hereinafter more specifically described.

The operative right herein proposed to be transferred was originally established under Application No. 6611, Decision 9388, dated August 19, 1921, which decision authorized E. B. Dillingham and E. L. Dillingham, co-partners, to operate an automotive stage line as a common carrier of passengers between Long Beach and Santa Monica and certain intermediate points, as more fully set out in the decision number last above mentioned. This operative right was subsequently transferred from the Dillingham copartnership to the Dillingham Transportation Company, a corporation, under Decision No. 11551 and Application No. 8587 dated January 24, 1923.

The agreement of sale provides for a consideration of Twelve Thousand Dollars (\$12,000.) which, in addition to the operative right, includes two Reo 14-passenger automobiles together with tools, tires and accessories.

We are of the opinion that this is a matter in which public hearing is not necessary and that the application should be granted with the understanding that this decision authorizes only the transfer of an operative right and does not authorize the Motor Coach Company to operate a combined or joint service in connection with its existing operations and the operative right herein authorized to be transferred unless such combined operation shall hereinafter be authorized by the Commission in a separate proceeding.

IT IS HEREBY ORDERED that the above entitled application be and the same is hereby 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 Dillingham Transportation Company shall immediately cancel tariff of rates and time schedules now 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.
3. Applicant Motor Coach Company shall immediately file, in duplicate, tariff of rates and time schedules covering service, certificates for which are herein authorized to be transferred to it, or adopt as its own the tariff of rates and time schedules heretofore filed by applicant Dillingham Transportation Company.
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 Motor Coach Company unless such vehicle is owned by said applicant or is leased by it under a contract or agreement on a basis satisfactory to the Railroad Commission.

Dated at San Francisco, California, this 19th day of
October, 1923.

C. S. ...

H. B. ...

J. L. ...

COMMISSIONERS.