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Decision No. 12213

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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In the Matter of the Application of)
L. L. MUSHETT to sell and PERRY J.)
WHITE to purchase an automobile)
stage line operated between Bishop,)
California and Tonopah, Nevada.)

Application No. 9389

BY THE COMMISSION,

ORDER

L. L. Mushett and and Perry J. White have filed a joint application with the Railroad Commission in which they petition for an order authorizing Mushett to sell and White to purchase a certain automobile passenger stage line operated between Bishop, California and the Nevada State line to Tonopah, Nevada.

The operative right herein proposed to be transferred was obtained by applicant Mushett under Decision No. 8690 in Application No. 6581, dated March 3, 1921 and authorizes operation of automobile stage service as a common carrier of passengers, express and baggage between Big Pine, California, and a point on the California-Nevada State line near Oasis, but expressly prohibits transportation of business locally between Big Pine and Zurich over the route served by the Big Pine and Zurich Auto Stage Line.

The consideration given in the application is the sum of \$1,798.64 and includes in addition to the operative right one 1922 Oldsmobile automobile passenger stage.

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:

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 Mushett 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.

3. Applicant White 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 as heretofore filed by applicant Mushett. All tariff of rates to be identical with those as filed by applicant Mushett.

4. 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.

5. No vehicle may be operated by applicant White 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.

Dated at San Francisco, California, this 25th day of October, 1923.

W. C. Chandler
H. C. Bondage

Ernest Shore

J. H. Whittney
Commissioners