

McS

Decision No. 13190

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

-000-

ORIGINAL

In the Matter of the Application of  
LEE JAQUA and D. R. JAQUA, to sell  
and PICKWICK STAGES, NORTHERN DIVISION,  
to purchase that certain automobile  
passenger line of the former operated  
between San Luis Obispo and Santa Maria,  
California, and intermediate points.

)  
:  
:  
:  
Application No. 9796  
:  
:  
)

BY THE COMMISSION,

ORDER

This is a joint application filed on behalf of  
Lee Jaqua and D. R. Jaqua, co-partners, and Pickwick Stages,  
N. D., a corporation, for the approval of a certain lease agree-  
ment.

The Jaqua co-partnership holds at the present time a  
certificate of public convenience and necessity authorizing the  
operation of automotive passenger stage service between San Luis  
Obispo and Santa Maria serving as intermediate points Antonio,  
Pismo, Arroyo Grande and Nipomo, which operative right was obtain-  
ed by the co-partnership under Decision No. 10370 in Application  
No. 7636, dated April 25, 1922.

The lease agreement for which approval is herein sought  
provides for the leasing of such operative right from the co-  
partnership to the corporation for a consideration consisting of  
\$500.00 to be paid down and a monthly rental of \$250.00 per month  
for 11 months thereafter at which time the Pickwick Stages, N. D.  
a corporation, shall have the option to purchase said operative

for the sum of \$1.00.

The Pickwick Corporation is at the present time engaged in extensive stage operations in the State of California in connection with which they operate stage service over the same route as that covered by the certificate herein sought to be leased and it is contended by applicants that under the agreement herein sought to be approved if acted upon affirmatively will result in the elimination of expensive competition and duplicate service in this territory.

With the understanding that the Commission in no way approves of the consideration to be paid for the operative right herein proposed to be leased, with option to purchase, other than such approval as may be necessary to the present proceeding, 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. Applicants Lee Jaqua and D.R. Jaqua, co-partners, shall immediately cancel tariff of rates and time schedules on file with the Commission covering service, certificate for which is herein authorized to be leased to Pickwick Stages, N. D. a corporation. Such cancellation to be in accordance with the provisions of General Order No. 51.

3. Applicant Pickwick Stages, Northern Division, a corporation, shall immediately file, in its own name, in duplicate, tariff of rates and time schedules covering service under certificate herein authorized to be leased to said corporation, identical with the tariff of rates and time schedules as filed by Lee Jaqua and D.R. Jaqua, co-partners.

4. The rights and privileges herein authorized to be leased 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 Pickwick Stages, N. D. a corporation, unless such vehicle is owned by said applicant or is leased under a contract or agreement on a basis satisfactory to the Railroad Commission.

Dated at San Francisco, California, this 20<sup>th</sup>  
day of February, 1924.

Charles  
H. R. ...

Egerton ...  
J. Whittsey  
Commissioners