

MoS

ORIGINAL

Decision No. 13283.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

-oOo-

In the Matter of the Application of )  
JOSEPH MILLER for authority to )  
sell and FRANK ROBERSON to buy )  
the automobile stage business and :Application No. 9832  
franchise of Joseph Miller between )  
Lemoore and Coalinga, California. )

BY THE COMMISSION,

ORDER

This is a joint application filed by Joseph Miller and Frank Roberson in which they petition for an order of the Railroad Commission authorizing Miller to sell and Roberson to purchase a certain operative right as hereinafter more specifically set forth.

The operative right proposed to be transferred is one obtained by Joseph Miller under Decision No. 7742 in Application No. 4509, dated June 19, 1920, and authorizes the operation of automotive stage service for the transportation of passengers and express between Coalinga and Lemoore and intermediate points, California.

Applicant Roberson, proposed purchaser, at the present time operates passenger stage service between Fresno and Coalinga which line parallels the operation under the certificate herein proposed to be transferred for some distance and if the transfer is approved will eliminate unnecessary duplication of service.

The consideration proposed to be paid is set forth in the Agreement of Sale, accompanying the application, as the sum of \$4,000.00 and includes in addition to the operative right

one 7-passenger Cadillac automobile.

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 Miller 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 shall be in accordance with the provisions of General Order No. 51.

3. Applicant Roberson shall immediately file, in duplicate, in his own name, or adopt as his own the tariff of rates and time schedules as heretofore filed by applicant Miller for said service. All tariff of rates and time schedules to be identical with those as heretofore filed by applicant Miller.

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 Roberson 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 19<sup>th</sup> day of March, 1924.

C. Seaver  
H. B. Burdick  
Dwight Martin  
\_\_\_\_\_  
Commissioners