

Decision No. 13375

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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In the Matter of the Application of )  
WILSON L. R. PATTERSON to sell and )  
MOTOR TRANSIT COMPANY, a corporation, ) Application No. 9929  
to purchase and exercise certain motor )  
operating rights between the City of )  
San Diego and Encanto, California.

BY THE COMMISSION:

O P I N I O N

Wilson L. R. Patterson and Motor Transit Company, a corporation have petitioned the Railroad Commission for an order approving the sale and transfer by the former of certain operative rights for the conduct of an automobile stage line between San Diego and Encanto, and for the latter applicant to purchase, acquire and hereafter operate said automobile stage line over the route as hereinafter described.

The rights and privileges are proposed to be transferred in accordance with a bill of sale and assignment executed under date March 24, 1924 as attached to and forming a portion of the application herein, and cover the operative rights as heretofore granted by this Commission's Decision No. 8651 of February 21, 1921 on Application No. 5460 to W. L. R. Patterson for the conduct of an automobile stage line as a common carrier of passengers between San Diego and Encanto and intermediate points over the following route:

From San Diego, via Imperial Avenue to Encanto serving as intermediate points the communities at Beverly and Hollywood.

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 subject to the conditions contained in the following order.

## O R D E R

Wilson L. R. Patterson and Motor Transit Company, a corporation, having applied for an order of the Railroad Commission approving the sale and transfer by the former and the purchase, acquisition and authority to hereafter operate by the latter a certain automobile stage line as a common carrier of passengers between San Diego and Encanto and the intermediate points known as Hollywood and Beverly, the Commission being now fully advised and 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 this application be, and the same hereby is granted, subject to the following conditions:

I. Applicant, Wilson L. R. Patterson, is hereby required to at once cancel all tariffs of rates, fares and charges and rules and regulations governing same, and applicant, Motor Transit Company is hereby required to immediately file new tariffs, schedules and rules and regulations governing same in its own name, or to adopt as its own the rates, fares, charges, schedules and rules and regulations governing same as heretofore filed with this Commission by applicant, Wilson L. R. Patterson, all rates, charges, fares and rules and regulations governing same to be identical with those heretofore filed with this Commission by said Wilson L. R. Patterson. All cancellations and filings of tariffs and schedules are to be made in accordance with the provisions of this Commission's General Order No. 51 and other regulations of this Commission, said General Order and regulations, insofar as applicable being hereby referred to and made a portion of the order herein.

II. Applicant, Motor Transit Company, a corporation, shall never claim before this Commission or any other authorized regulatory body in any rate fixing or other proceeding any value for the operative rights herein authorized transferred the values set forth in the agreement attached to the application herein being those agreed between the applicants for the transfer herein and not binding on this Commission as a measure of value in any rate fixing or other proceeding.

III. The rights and privileges, transfer of which is herein authorized, may not be sold, leased, assigned, transferred or hypothecated unless such sale, lease, assignment, transfer or hypothecation shall have first

received the written approval of the Railroad Commission.

IV. No vehicle may be operated over the route herein authorized transferred unless such vehicle is owned by applicant, Motor Transit Company, or is leased by such applicant under a contract or agreement on a basis satisfactory to and approved by the Railroad Commission.

Dated at San Francisco, California, this 5<sup>th</sup>  
day of April, 1924.

O. A. Seancey

H. P. Bunnidge

James Martin

Ernest Shera

J. L. Whittney  
Commissioners