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Decision No. 13679

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

ORIGINAL

In the Matter of the Application of
E. H. SHULL, owner PACIFIC HIGHWAY
EXPRESS, to sell and Alex. C. Pyper
to purchase an automobile freight
line operated between Los Angeles
and San Francisco, California.

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Application No. 10,077

BY THE COMMISSION.

O R D E R

This is an application by E. H. SHULL to transfer to
ALEX. C. PYPER a certificate of convenience and necessity
under which Shull has been operating an auto freight line for
the transportation of household goods between San Francisco,
Oakland and Berkeley and Los Angeles and intermediate points,
via what is known as the "Valley Route". The operation has been
conducted under the fictitious name of Pacific Highway Express.
Pyper joins with Shull in the application.

The consideration to be paid for the property herein
proposed to be transferred is the sum of \$6,867.50 of which
\$5,867.50 represents the value of Shull's equipment and \$1,000.00
the value of the operative right.

Shull was granted authority to operate by the Commission
in Decision Number 10,063 and Number 10,904 following public hear-
ings on Application Number 7345. The certificate limits the goods

to be transported to household goods (new or second-hand furniture, personal effects, trunks and pianos) and provides that shipments shall be handled only when the point of origin or destination is Los Angeles, Oakland, Berkeley or San Francisco, with the further restriction that there shall be no local shipments handled between Los Angeles and Bakersfield and points intermediate thereto. By stipulation entered into at the hearing Shall agreed that his operations between Los Angeles and Fresno and points intermediate thereto would be confined to the transportation of used household furniture, (which shall include pianos and musical instruments) and

" * * * * which are shipped from owner to owner, are not intended for sale or trade and when such shipments are not crated, boxed or wrapped. The origin and destination of shipments covered by this stipulation to be at residences only or to or from residences with the point of origin or destination as a warehouse or storage point in which shipments have been or are to be stored."

The applicant Pyper is experienced in the business of transporting the class of goods covered by the certificate sought to be transferred;

We believe that this application should be granted and that there is no necessity for a public hearing.

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

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
Pyper 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 11th day of

June, 1924.

C. Searcy
H. R. B. Searcy
Irving Martin
Egerton Shore

Commissioners.