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Decision No. 13692

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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In the Matter of the Application of )  
VALLEY TRANSIT COMPANY and JOSEPH )  
MILLER for authority to exchange : Application No. 9849  
certain automobile stage operative )  
rights.

BY THE COMMISSION,

ORDER

This is a proceeding in which the Valley Transit Company, a corporation, and Joseph Miller apply for an order of the Railroad Commission authorizing the transfer of certain operative rights hereinafter more specifically set forth.

Applicant Miller proposes to transfer to the Valley Transit Company an operative right granted to him authorizing the operation of automotive passenger stage service between Visalia and Dinuba via Yettum, Cutler, Orosi and Sultana secured by transfer from Wm. Gillen under Application Number 5086, Decision Number 6953, dated December 17, 1919; the right to operate automotive passenger stage service between Tulare and Porterville via Lindsay and Strathmore secured by purchase from Walter M. Collins under Application Number 7836, Decision Number 10474, dated May 17, 1922; the right to operate automotive passenger stage service between Tulare and Visalia via Mooney Grove acquired by applicant Miller under the provisions of Section 5 of Chapter 213, Statutes of 1917, through operation in good faith prior to May 1, 1917.

The Valley Transit Company proposes to transfer to applicant Miller the right to operate automotive passenger stage service between Fresno and Hanford via Wildflower and Laton secured by said Valley Transit Company through purchase from Walling & Alexander, co-partners under Application Number 7067, Decision Number 9507, dated September 14, 1921. This operative right under the provisions of the transfer does not permit applicant Miller to transport passengers locally between Fresno and Fowler.

There is no monetary consideration involved in the proposed transfer it being the contention of applicants that through the transfer of operative rights as proposed it will enable both operators to consolidate their respective operative rights and render a more efficient and adequate service to the traveling public in the territory served.

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. Applicant Miller shall immediately cancel all tariff of rates and time schedules on file covering service, certificates for which are herein authorized transferred to the Valley Transit Company.

2. Applicant Valley Transit Company shall immediately file in its own name, or adopt as its own the tariff of rates and time schedules heretofore filed by applicant Miller covering service, certificates for which are authorized transferred to the Valley Transit Company. All tariff of rates and time schedules to be identical with those as filed by applicant Miller for said service.

3. Applicant Valley Transit Company shall immediately cancel tariff of rates and time schedules on file covering service, certificate for which is herein authorized transferred.

4. Applicant Miller shall immediately file in his own name or adopt as his own the tariff of rates and time schedules heretofore filed by applicant Valley Transit covering service, certificate for which is authorized transferred to applicant Miller. All tariff of rates and time schedules to be identical with those of applicant Valley Transit Company for said service.

5. The rights and privileges herein authorized 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.

6. No vehicle may be operated by either applicant in this proceeding 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

12<sup>th</sup> day of June, 1924.

C. Seavey  
H. H. B. Linder  
Dwight Martin  
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Commissioners