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Decision No. 13766

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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In the Matter of the Application of)
 J. C. BEST to sell and transfer and)
 H. V. IREDELL to purchase automobile :
 passenger stage line operated bet- Application No. 10207
 ween Santa Ana, San Juan Capistrano)
 Serra, and intermediate points.)
 :
)

BY THE COMMISSION,

ORDER

This proceeding is a joint application by J. C. Best and H. V. Iredell in which Best seeks authority to transfer to Iredell an operative right under which Best has been conducting an auto stage line for the transportation of passengers and packages between Santa Ana, San Juan Capistrano, Serra and intermediate points, together with the equipment used in such operation.

The operative right in question was obtained by Best from A. J. Kuss, who established the service prior to May 1, 1917, the effective date of the Auto Stage and Truck Transportation Act. The transfer, Kuss to Best, was authorized by the Commission in its order in Application No. 7891.

The consideration to be paid for the property it is proposed to transfer is given as \$2,000.00, all of which represents the value of one 18-passenger auto stage, no claim for value of the operative right being made.

We are of the opinion that this is a matter which does not require a public hearing 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 transferred may not 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 Best shall immediately cancel tariff of rates and time schedules on file covering service, certificate for which is authorized transferred. Such cancellation to be in accordance with the provisions of General Order No. 51.
3. Applicant Iredell shall immediately file, in duplicate, in his own name, or adopt as his own the tariff of rates and time schedules heretofore filed by applicant Best covering said service. All tariff of rates and time schedules to be identical with those as filed by applicant Best for said service.
4. The rights and privileges herein authorized 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 Iredell 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 1st
day of July, 1924.

C. S. Leavell
H. O. Brundage
Dwight Masten

Commissioners