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Decision No. 13768.

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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In the Matter of the Application of)
W. T. MURRAY to sell and transfer and)
H. N. LEIN to purchase a one-half :Application No. 10231
interest in auto truck line operated)
between Los Angeles and Blythe.

BY THE COMMISSION,

ORDER

This proceeding is a joint application by W. T. Murray and H. N. Lein in which the first named seeks authority to transfer to Lein a half interest in an auto truck transportation business operated by them as co-partners between Los Angeles and Blythe, the operation being conducted under authority of the Commission granted in its order in Decision No. 11477 on Application No. 8553. The consideration is given as \$3,000.00, this sum representing the value of one 2½-ton truck. No value is claimed for the operative right.

The operative right in question was originally granted to A.E. Campbell by the Railroad Commission in Application No. 6339. The order in this application reads in part:

"This order grants authority for the transportation of freight originating at Blythe and destined to the communities of Mecca, Thermal, Coachella, Indio, Palm Springs, Whitewater and the communities intermediate between Whitewater and Los Angeles; the authority regarding intermediate points being confined

to northbound business originating in the territory between Blythe and Mecca. Authority is also granted for the handling of business originating in Los Angeles and destined to the territory between Mecca and Blythe, but not including the former community, no authority being hereby conveyed for the handling of any southbound business between Los Angeles and Mecca, or points intermediate between such communities."

In Application No. 7815 this operative right was transferred to Monte Willis and J. C. Dikes, co-partners, who, after operating the line for a short time, sought and obtained from the Commission, in Application No. 8340, authority to transfer the operating right back to Campbell. The latter, in the same proceeding, was granted permission to transfer the operating right to W.T. Murray. The latter, in Application No. 8553, was authorized by the Commission to transfer to E. N. Lein a half interest in the operating right. No monetary consideration was involved in this proceeding, applicant Lein adding a new truck to the firm's equipment in lieu of cash payment. Murray now proposes to buy the interest of his partner, Lein.

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, and

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 shall not be urged before this Commission or any other

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rate fixing body as a measure of value of said property for rate fixing or any purpose other than the transfer herein authorized.

2. Applicants Murray and Lein shall immediately cancel tariff of rates and time schedules on file covering service, certificate for which is authorized transferred. Such cancellation shall be in accordance with the provisions of General Order No. 31.

3. Applicant Lein shall immediately file in his own name, or adopt as his own, the tariff of rates and time schedules as filed by the co-partnership of Murray and Lein covering said service. All tariff of rates and time schedules to be identical with those as filed by the co-partnership.

4. 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.

5. No vehicle may be operated by applicant Lein unless such vehicle is owned by him 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.

Cl Seaver
W. B. Brundage
Dwight Martin

Commissioners