

McS

Decision No. 13928

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

-oOo-

In the Matter of the Application of )  
CALIFORNIA TRANSIT COMPANY, a corporation, )  
to sell and transfer to William O. Colberg :Application No. 10268  
and Henry J. Colberg, the franchise to )  
operate a stage line, and certain equipment. )

BY THE COMMISSION,

ORDER

This proceeding is an application by California Transit Company, a corporation, to transfer to Wm. O. Colberg and Henry J. Colberg an operative right under which the corporation has been conducting an auto stage line for the transportation of passengers between Stockton and Byron and intermediate points, via the Borden Highway. The Colbergs are joint applicants with the California Transit Company. The consideration is given as \$5600.00 which sum includes one 14-passenger car equipped with baggage boot.

The operative right in question was obtained by California Transit Company by purchase from one C. D. Gulick, the Commission giving its approval to the transfer in its Decision No. 10183, in application No. 6811. The line has been operated since June 8, 1922 by E. M. Huston, who leased the operative right, with the approval of the Commission, from the California Transit Company, said approval having been granted by the Commission in Application No. 7916 and 9587, the order in the last mentioned number covering renewal of the lease.

The line was originally established by one Hatamoto, who prior to May 1, 1917 was operating an auto stage line between Stockton and Old River Bridge. In Application No. 5059 he obtained from the Commission authority to extend his service from Old River Bridge to Byron. Subsequently the operative right was transferred to Gulick under authority of the Commission granted in Application No. 6473.

We are of the opinion that this application should be granted and that it is not a matter requiring 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 California Transit Company, a corporation, shall immediately cancel tariff of rates and time schedule on file covering service, certificate for which is herein authorized transferred. Such cancellation to be in accordance with the provisions of General Order No. 51.

3. Applicants, Colberg and Colberg, shall immediately file in their own name, in duplicate, tariff of rates and time schedules, which rates and time schedules must be identical with those filed by E. M. Huston operator of the stage line under lease from California Transit Company.

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 applicants

Colberg and Colberg unless such vehicle is owned by said applicants or is leased under a contract or agreement on a basis satisfactory to the Railroad Commission.

Dated at San Francisco, California, this 19<sup>th</sup> day of August, 1924.

H. B. ...  
Dwight Martin

J. H. ...  
Commissioners