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Decision No. 14031

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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In the Matter of the Application of  
A. W. SCHMITT & F. L. WARREN to sell  
and A. W. SCHMITT & H. NICHOLSON to  
purchase an automobile passenger and  
freight line operated between Livermore  
and Arroyo Sanatorium, California.

ORIGINAL

) Application No. 10449  
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)

BY THE COMMISSION:

ORDER

This is an application by A. W. Schmitt and F. L. Warren, co-partners, and operators of an automotive passenger and freight line between Livermore and Arroyo Sanitarium to transfer to A. W. Schmitt and H. Nicholson, co-partners, the operative right granted Schmitt & Warren by the Commission on Application No. 9684. The A. W. Schmidt named in this application is the A. W. Schmitt of the partnership of Schmitt & Warren, the name being mis-spelled.

The consideration to be paid for the property herein proposed to be transferred is the sum of \$800.00 of which amount \$650.00 represents the value of the equipment and \$150.00 the value of the operative right.

We believe 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.

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. Applicants Schmitt and Warren, co-partners, shall immediately cancel tariff of rates and time schedules on file with the Commission 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 Schmitt and Nicholson, co-partners, shall immediately file, in duplicate, tariff of rates and time schedules, identical with those as filed by Schmitt and Warren, for said service, or adopt as their own the rates and time schedules heretofore filed by said Schmitt and Warren.

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 thereto has first been secured.

5. No vehicle may be operated by applicants Schmitt and Nicholson, unless such vehicle is owned or leased under a contract or agreement on a basis satisfactory to the Railroad Commission.

Dated at San Francisco, California, this 8<sup>th</sup>  
day of September, 1924.

C. Seamy  
H. B. Indige  
Irving Martin  
Edward Shore  
W. H. L. L. L.  
Commissioners