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Decision No. 14284

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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ORIGINAL

In the Matter of the Application of THOMAS E. CHENEY to sell and FRANCIS BRUNNER to purchase an automobile passenger and freight line operated between Santa Monica and Las Flores and Topanga. )  
:Application No. 10607 )

BY THE COMMISSION:

O R D E R

In this proceeding Thomas E. Cheney asks authority to transfer to Francis E. Brunner an operating right for the conduct of an auto stage line for the transportation of passengers and freight between Santa Monica and Topanga Canyon and Los Flores.

The operation has been conducted under the fictitious names of Los Flores and Topanga Stage Line and Topanga Freight Line. Cheney obtained the operating rights covering the service from one Kleinsmith, the Commission having approved the transfer in its order on Application No. 9484. There are certain limitations in the original certificate, the right to give service in the territory served by the Pacific Electric Railway Company having been denied.

No equipment is involved in the transfer, the sum of \$1,200.00 named in the sale agreement being the value placed on certain mail and newspaper contracts and the operating right. The value of the operating right is given as \$200.00.

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. 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 Thomas M. Cheney shall immediately cancel all tariff of rates and time schedules 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. Applicant Francis E. Brunner shall immediately file, in duplicate, in his own name, or adopt as his own the tariff of rates and time schedules as heretofore filed by applicant Cheney covering said service. All rates and schedules to be identical for said service as those in effect by applicant Cheney.
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 applicant Brunner 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 21st

DAY OF NOVEMBER, 1924.

Cheney  
H. H. Brundage  
Francis E. Brunner

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Commissioners