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Decision No. 14334

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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In the Matter of the Application of the)
WEST COAST TRANSIT COMPANY, a corporation,	
to buy and of DONALD MacPHERSON, to sell	:
an automobile passenger and express line	
operated between Arcata and Samoa, Humboldt)Application Number
County, California, and of WILLIAM LOLAX	10630
to sell an automobile passenger and express	:
line operated between the Town of Freshwater	
and Eureka, California.)

BY THE COMMISSION:

ORDER

In this proceeding West Coast Transit Company, a corporation, operating an automotive service for the transportation of passengers between San Francisco and Crescent City, asks for authority to acquire the operating rights of William Lolax and Donald MacPherson. The application is joined in by Lolax and MacPherson who ask permission to transfer the rights sought to be acquired by West Coast Transit Company.

The MacPherson right covers service between Arcata and Samoa and permits the transportation by auto of passengers and express between these points, a limit of 200 pounds being placed on the express that may be shipped from one consignee to one consignor. The Commission granted the certificate, or right, to operate to MacPherson in Decision No. 12217 on Application No. 8729, dated June 19, 1925.

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The Lolax right covers service between Eureka and Freshwater and intermediate points, via Freshwater Corners, and permits the transportation of passengers and freight between these points. The certificate was granted to Lolax by the Commission in Decision No. 7413 on application No. 4344, dated April 9, 1920.

With the Lolax right the West Coast Transit Company proposes to acquire one 9-passenger and one 14-passenger automobile. With his operating right MacPherson proposes to transfer certain equipment. The consideration named in the Lolax sale agreement is \$2000, the par value of 20 shares of stock in the West Coast Transit Company. MacPherson has agreed to accept 10 shares of stock in the West Coast Company, par value \$1000, for his equipment. In neither instance is any value claimed for the operating right.

We believe that this application should be granted and that it is not a matter requiring a public hearing. In approving the transfer, however, the Commission does so with the distinct understanding that it in no manner authorizes any change in the service now being given by Lolax and by MacPherson, which means, to be specific, that West Coast Transit Company must not give any lesser service between Eureka and Freshwater and Arcata and Samoa than is now being given over these routes without first obtaining authority to make such change in service from the Railroad Commission.

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 properties herein authorized transferred may not be urged before this Commission or any other rate fixing body as a measure of value of said properties for rate fixing or any purpose other than the transfers herein authorized.

2. Applicants MacPherson and Lolax, individually, shall immediately cancel their respective tariff of rates and time schedules on file with the Commission covering service, certificates for which are herein authorized transferred.

3. Applicant West Coast Transit Company, a corporation, shall immediately file, in duplicate, identical tariff of rates and time schedules as heretofore filed by applicant MacPherson and Lolax individually covering said service. Or shall adopt as its own the individual tariff of rates and time schedules of the above named applicants covering said service.

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 obtained.

5. No vehicle may be operated by applicant West Coast Transit Company, a corporation, unless such vehicle is owned by it or is leased under a contract or agreement on a basis satisfactory to the Railroad Commission.

Dated at San Francisco, California, this 4th Day of December, 1924.

O. L. Seavey
H. B. Brundige
Dwight MacLean
Eugene Shore
N. T. Whittier
Commissioners