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ORIGINAL

Decision No. 14347

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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In the Matter of the Application of)
JOE GENARDINI to sell and E. L.)
McCONNEL to purchase the operative :
rights, franchise and good will and)
certain operative property of that)
certain auto truck line between) APPLICATION NO. 10636
San Luis Obispo and Morro and inter- :
mediate points, known as the Morro)
Truck Line.)

BY THE COMMISSION:

ORDER

In this proceeding Joe Genardini and E. L. McConnel ask the Railroad Commission to approve the transfer, Genardini to McConnel, of a right to operate an auto line for the transportation of freight and express between San Luis Obispo and Morro and intermediate points. The right to operate was established by Genardini through operation prior to May 1, 1917, the effective date of the Auto Stage and Truck Transportation Act, and continuous operation since that date.

In addition to the operating right it is proposed to transfer the ownership of two trucks. The consideration for all of the property it is proposed to transfer is given as \$3,000.00.

McConnel is now operating between San Luis Obispo and Cambria and serving Morro as an intermediate point. Granting of this application will have the effect of lessening competitive effort in a field offering a not any too large volume of business.

As the rates charged by Genardini are practically the same as those charged by McConnel, who is an extensive operator in the territory adjacent to San Luis Obispo, it is not believed that the elimination of Genardini will react unfavorably on the shipping public.

We believe this application should be granted and that it is not a matter requiring a public hearing. We believe also that because the McConnel tariff is more comprehensive than that filed by Genardini, the latter should be required to cancel all rates and rules and regulations filed by him under the name of Morro Truck Line, leaving in effect the rates and rules and regulations as shown in the tariffs of the Valley and Coast Transit Company as issued by E. L. McConnel.

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 Genardini shall immediately cancel all tariff of rates and time schedules on file covering service, certificate for which is herein authorized transferred.
3. The rights and privileges herein authorized transferred may not be discontinued, sold, leased, transferred nor assigned unless the written consent of the Railroad Commission has first been secured.
4. No vehicle may be operated by applicant McConnel 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 9th day of December, 1924.

CC Seavey
Dwight M. Austin
Egarlon Shure
Commissioners