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Decision No. 14527.

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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In the Matter of the Application of )  
HARRY POTHOFF to sell and Chas. B. )  
Holbrook and V. H. Shuler to purchase :Application No. 10795  
automobile stage line operating bet- )  
ween Walnut Park and Home Gardens. )

BY THE COMMISSION:

ORDER

In this proceeding Harry Pothoff asks for authority to transfer to a partnership consisting of Charles B. Holbrook and V. H. Shuler an operating right permitting the transportation of passengers by automobile between Walnut Park and Home Gardens. Holbrook and Shuler ask for authority to acquire the operating right and to operate thereunder.

The right involved was acquired by applicant Pothoff from Alexander Bridge, the transfer having been approved by the Commission in Decision No. 14438 on Application No. 10520. The operating right sought to be transferred by Pothoff covers two routes, viz:

Commencing at the north City limits of the City of Lynwood in the County of Los Angeles, north on California Street to Tweedy Boulevard, west over Tweedy Boulevard to Long Beach Boulevard, and north over Long Beach Boulevard to the end of the yellow car line operated by the Los Angeles Railway Company at Long Beach Boulevard and Florence Avenue, and returning by the same route.

Commencing at the corner of Tweedy Boulevard

and California Street, east on Tweedy Boulevard to Cudahy Boulevard, north on Cudahy Boulevard to Southern Avenue, west on Southern Avenue to McNerny, South on McNerny to Duane Way, and west on Duane Way to California, north on California to a point just south of the south City limits of the City of Southgate, south on California, to Tweedy Boulevard, and then over the same route to the end of the Los Angeles Railway yellow car line as set forth in Route One and return over the same route to the point of beginning.

In its opinion accompanying its order on Application No. 10155 establishing the operating right covering the routes sought to be served by Bridge, which right was subsequently transferred to Pothoff, the Commission makes the following provision:

" Authority is hereby granted to operate the foregoing service over both of said routes in conjunction with each other and as one transportation system, together with the privilege of operating extra or additional cars over the said routes during the 'peak hours' or hours of heavy travel, provided, however, that no passengers shall be carried locally between Florence Avenue and Santa Ana Street."

The order further provides that the certificate issued in Decision No. 14423 on Application No. 10155 under date of December 31, 1924 and which is herein sought to be transferred is in lieu of and not in addition to the original operating right granted to Bridge on application No. 8935.

Holbrook and Shuler are already operating auto stage service in territory contiguous to that served by Pothoff. They operate between Florence and Seville Street, Huntington Park, and Otis and Elizabeth Streets and also between Randolph and Pacific Streets, Huntington Park and Bell and Cudahy.

The consideration to be paid for the property herein sought to be transferred is \$1600. Of this sum \$1000 is said to represent the value of the operating right and the good will of the business, the balance representing money due on contracts for the purchase of three Ford busses, applicants holding that the amount of \$600.00 represents the present value of the cars.

We believe that this application should be granted and that it is not a matter requiring a public hearing. It must be distinctly understood, however, that in authorizing the transfer of the Pothoff rights the Commission in no way grants to Holbrook and Shuler any authority to change in any way the service now being given by Pothoff unless authority to do so is first obtained from this Commission; nor does the authority to acquire the Pothoff operating rights grant to Holbrook & Shuler any authority to link up or merge the rights herein transferred with the existing rights of Holbrook & Shuler unless permission to make such linking up or merging is first obtained 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 property herein authorized transferred shall 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 Pothoff shall immediately cancel tariff of rates and time schedules on file with the Commission covering service, certificate for which is herein authorized transferred. Such

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cancellation to be in accordance with the provisions of General Order No. 51.

Applicants Holbrook and Shuler shall immediately file, in duplicate, tariff of rates and time schedules identical with those as filed by applicant Pothoff covering said service, or shall adopt as their own the tariffs and schedules as filed by applicant Pothoff.

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.

No vehicle may be operated by applicants Holbrook and Shuler unless such vehicle is owned by them or is leased under a contract or agreement on a basis satisfactory to the Railroad Commission.

Dated at San Francisco, California, this 2<sup>d</sup>

day of February, 1925.

H. A. Roundige

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George D. Squires

Commissioners