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Decision No. 14548

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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In the Matter of the Application of  
A. L. PHILLIPS to sell and Schneider  
Brothers to purchase all right, title  
and interest in an automobile freight  
line operating between Wheatland  
and Sacramento, California.

)  
Application No. 10774  
)

ORIGINAL

BY THE COMMISSION:

ORDER

This is an application for authority to transfer an operating right covering an auto freight transportation service between Sacramento and Wheatland, with restrictions as to service to and between certain intermediate points. A. L. Phillips is asking the Commission for authority to make the transfer and Schneider Bros. want to acquire the right and operate thereunder.

The operative right, or certificate of convenience and necessity, involved in this proceeding, was originally granted to Phillips by the Commission in its Decision No. 8967 issued on Application No. 6498 under date of May 12, 1921. The order granting the certificate reads as follows:

"THE RAILROAD COMMISSION HEREBY DECLARES that public convenience and necessity require the operation by A. L. Phillips of an automobile truck service as a common carrier of freight between Sacramento and Wheatland and the intermediate points only between Lincoln and Wheatland,

"Provided, however, that the applicant

shall carry and deliver only milk and dairy products at all intermediate points except between Roseville and Sacramento on the south bound trips and to pick up empty milk cans on the north bound trips, \*\*\*"

Schneider Bros. are at present operating an auto freight transportation service between Sacramento and Auburn and intermediate points under authority of the Commission granted on Application No. 8747. They propose to take over the Phillips equipment, paying therefor the sum of \$7750.00. The total amount involved in the transaction is named as \$8000.00, the sum of \$250.00 being given as the value of the operating right.

We believe that this application should be granted and that it is not a matter requiring a public hearing. Approval of the transfer, however, is given with the understanding that no authority is given for the merging or linking up of the two certificates and with the further understanding that the Sacramento-Wheatland service must be operated as a separate and distinct service and not altered or changed in any way without authority of the 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 to be 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 Phillips shall immediately

cancel tariff of rates and time schedules on file with the Commission covering service, certificate for which is authorized transferred.

3. Applicants Schneider Bros. shall immediately file, in duplicate, tariff of rates and time schedules or adopt as their the rates and time schedules heretofore filed by applicant Phillips covering said service, all rate and time schedule filings by Schneider Bros. to be identical with those of applicant Phillips for 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 secured.

5. No vehicle may be operated by applicants Schneider Bros. 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 9<sup>th</sup> day of February, 1925.

H. B. Brundage  
C. Beavely  
Edward S. Stone  
George D. Squires  
Emmett  
Commissioners

STATE OF CALIFORNIA  
DEPARTMENT OF CORRECTIONS  
PRISON INDUSTRY AUTHORITY

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WITNESS my hand and the seal of the Department of Corrections Prison Industry Authority

30, day of July, 19 85.

Thomas R. Coupe'  
(name)

california



prison  
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