

Decision No. 14611

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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In the Matter of the Application of Louis E. Smith to sell and Geo. A. Scott to purchase and acquire the rights and franchises of LOUIS E. SMITH, doing business under the firm name and style of Louis E. Smith Stage Lines, to operate an auto stage line for the transportation of passengers and baggage and express, for compensation, between Susanville and Camps A, B, C, D and E of the Fruit Growers Supply Company, and to operate an auto stage line for the transportation of passengers and express, for compensation, between Susanville and Eagle Lake Points.

ORIGINAL

Application  
No. 10830

BY THE COMMISSION -

O R D E R

This is a joint application filed on behalf of Louis E. Smith and Geo. A. Scott for an order authorizing Smith to sell his interest in certain automotive stage lines to Scott.

The operative rights to be transferred were acquired by Smith from F. W. Ramsey, approval of the transfer having been given by the Commission in Decision No. 13003 on Application No. 9602. Smith and Ramsey had operated as partners, Ramsey retiring because of ill health. As partners they had acquired the following operative rights:

Decision No. 8642 - Passengers, packages and Express between Susanville and Camp "A" of the Fruit Growers Supply Company.

Decision No. 9059 - Passengers and baggage between Susanville and Eagle Rock; during summer months and on Sundays only.

Decision No. 9062 - Extension of service to Camp "A" to include Camps "B" and "C" of the Fruit Growers Supply Company.

Decision No. 12348 - Extension to Camps "D" and "E".

The operative rights listed herein as rights issued originally to the Smith and Ramsey partnership are the rights sought to be transferred in the instant application. Certain equipment is also to be transferred, the sum of \$4000.00 being named as the compensation to be paid for equipment and operating rights.

We believe that this is not a matter requiring a public hearing and that the application should be granted. Approval of the transfer, however, is given with the understanding that the service now being given by Louis E. Smith shall be maintained as a separate operation from the service now being given by applicant Scott between Crescent Mills, Westwood, Susanville, Doyle and Reno and that there shall be no change in the existing Smith service unless authority to make such change is first obtained from 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 shall never 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 Smith shall immediately cancel tariff of rates and time schedules on file with the Commission covering service, certificate for which is herein authorized to be transferred. Such cancellation to be in accordance with the provisions of General Order No.51.
3. Applicant Scott shall immediately file, in duplicate, tariff of rates and time schedules or adopt as his own the tariff of rates and time schedules for said service as heretofore filed by applicant Smith. All tariff of rates and time schedules to be identical with those as filed by applicant Smith.

4. The rights and privileges herein authorized to be transferred shall not be discontinued, sold, leased, transferred nor assigned unless the written consent of the Railroad Commission to such discontinuance, sale, lease, transfer or assignment has first been secured.
5. No vehicle may be operated by applicant Scott unless such vehicle is owned by said applicant or is leased under a contract or agreement on a basis satisfactory to the Railroad Commission.

Dated at San Francisco, California, this 26<sup>th</sup>  
day of February, 1925.

H. B. Brundage  
O. C. Seavey  
Egerton Shore  
George D. Squire  
Ernest Scott  
COMMISSIONERS.