

Decision No. 14707

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of  
J. K. VANDERHURST to sell and  
E. K. DUDA to purchase a one half  
interest in an automobile freight  
line operating between Salinas and  
King City and intermediate points,  
California. ) Application No. 10925

BY THE COMMISSION -

O R D E R

J. K. Vanderhurst has petitioned the Railroad Commission for authority to sell and transfer to E. K. Duda a one half interest in an auto line for the transportation of freight between Salinas and King City and intermediate points. E. K. Duda asks for authority to purchase and acquire a one half interest in the business as described herein.

The operating right, a half interest in which, with certain equipment, it is proposed to transfer was obtained by Vanderhurst by purchase from Knox Brothers, the transfer having been approved by the Railroad Commission in its Decision No. 7659, dated June 1, 1920, issued on Application No. 5721. The transfer is to be made in accordance with an agreement accompanying the application in the instant proceeding, said agreement providing for the transfer in consideration of the sum of \$2000.00, which amount is said to represent the value of a one half interest in the equipment to be transferred. No value is claimed for the operating right.

We are of the opinion that this is not a matter in which a public hearing is necessary and that the application should be granted.

IT IS HEREBY ORDERED that the above entitled application be and the same is hereby 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 Vanderhurst 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- Applicants Vanderhurst and Duda shall immediately file, in duplicate, tariffs of rates and time schedules or adopt as their own the tariff of rates and time schedules for said service as heretofore filed by applicant Vanderhurst. All tariff of rates and time schedules to be identical with those as filed by applicant Vanderhurst.
- 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 applicants Vanderhurst and Duda unless such vehicle is owned by said applicants or is leased under a contract or agreement on a basis satisfactory to the Railroad Commission.

Dated at San Francisco, California, this 25<sup>th</sup> day of March, 1925.

H. W. Bondage

C. S. Seamy

George D. Squires

Emmanuel  
COMMISSIONERS.