

**ORIGINAL**

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
 GEORGE GENTLE to sell, and R. L. JUDY )  
 and C. A. ELLIOTT, a co-partnership )  
 doing business under the name of )  
 Winters-Davis-Sacramento Auto Stage, )  
 to purchase the right or franchise to )  
 operate an auto stage line for the ) Application No. 10960  
 transportation of passengers and express )  
 for compensation, between Sacramento and )  
 Davis, California, and intermediate points, )  
 together with certain equipment. )

BY THE COMMISSION -

OPINION AND ORDER

George Gentle has petitioned the Railroad Commission for authority to sell and transfer an auto stage line for the transportation of passengers and packages between Sacramento and Davis and intermediate points. R. L. Judy and C. A. Elliott, co-partners, have petitioned for authority to purchase, acquire and hereafter operate said stage line, the sale and transfer to be in accordance with an agreement marked Exhibit A, which agreement is attached to and made a part of the application herein.

The operative right herein proposed to be transferred was established by Gentle by reason of operation prior to May 1, 1917, continuous operation since that date, and the filing of tariffs and time schedules in accordance with the Railroad Commission's General Order No. 47 and its tariff regulations.

The consideration to be paid for the property herein proposed to be transferred, namely, the operating right and one 11-passenger auto stage is given as \$3000.

Judy and Elliott, as co-partners, are at present operating an auto stage service for the transportation of passengers and

parcels between Sacramento and Winters and intermediate points, via Davis. It is not proposed by Judy and Elliott, applicants, herein, to merge or combine their operating right with that proposed to be transferred by applicant Gentle, but they do propose to maintain the service now being given and the rates now being charged by Gentle, as shown by the time schedules and tariffs on file with the Railroad Commission.

We are of the opinion that this is a matter in which a public hearing is not necessary and that the application should be granted. It must be distinctly understood, however, that the granting of the application herein in no wise authorizes applicants, Judy and Elliott, co-partners, to give any lesser or different service between Sacramento and Davis than is now being given by applicant Gentle, or to change any rate shown in the tariffs on file with the Railroad Commission under the name of George Gentle unless authority to make change in service or rates 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 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 Gentle 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 Judy and Elliott 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 Gentle. All tariff of rates and time schedules to be identical with those as filed by applicant Gentle.

