

Decision No. 14837

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
A. DUNHAM and WEST COAST TRANSIT COMPANY,
a corporation, for an order of the
Railroad Commission authorizing Dunham
to sell and West Coast Transit Company to
purchase and hereafter operate an automo-
tive passenger stage line between Santa
Rosa and Healdsburg and intermediate
points, California; and of the West Coast
Transit Company for a supplemental order
with reference to the use of stock hereto-
fore authorized to be issued.

ORIGINAL

Application No. 11017

BY THE COMMISSION -

OPINION and ORDER

A. Dunham has applied to the Railroad Commission for authority to sell and transfer an operating right for the transportation of passengers, baggage and packages between Santa Rosa and Healdsburg and intermediate points and West Coast Transit Company, a corporation, asks for permission to purchase and acquire said operating right and hereafter operate thereunder, the sale and transfer to be in accordance with an agreement marked "Exhibit A", which agreement is attached to the application herein, and made a part thereof.

The consideration to be paid for the property herein proposed to be transferred is named as \$20,000, of which sum \$1000 is said to represent the value of certain equipment to be transferred, which equipment is listed in the sale agreement marked "Exhibit A", the balance representing a claimed value for the operating right and good will of the business. West Coast Transit Company proposes to pay for such properties by the issue of \$5000 of preferred stock and the balance in cash in monthly payments of \$250 with interest at the rate of 6% per annum. The sale agreement constitutes an evidence of indebtedness payable at more than one year after date. Its execution must be authorized by the Commission

authority to issue the \$5000 of stock and will be covered by a supplemental order in Application No.9807.

The operating right herein proposed to be sold and transferred was established by one J. F. Birch by reason of operation prior to May 1, 1917, filing of tariffs and time schedules in accordance with the Railroad Commission's General Order No.47, and continuous operation from May 1, 1917, to September 20, 1922, the date of this Commission's Decision No.11007, on Application No.8258, which decision approved the transfer by Birch to A. Danham, applicant herein, of said operating right.

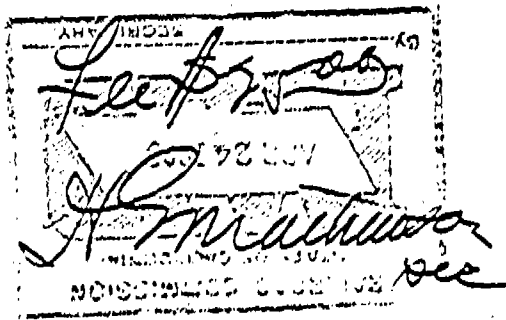
We are of the opinion that this is not a matter in which a public hearing is necessary and that the application should be granted. Approval of the transfer, however, is granted with the distinct understanding that West Coast Transit Company shall not make any change in the service now being given by A. Danham between Healdsburg and Santa Rosa unless authority to make such change is first obtained from the Railroad Commission; and it must be further understood that the approval of the sale and transfer granted herein does not authorize operation by West Coast Transit Company of the operating right transferred herein as part of its through service between San Francisco and Eureka.

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, and stock issue other than the stock issue referred to in the preceding opinion or any purpose other than the transfer herein authorized.
- 2- The authority herein granted to execute the sale agreement filed in this proceeding will not become effective until West Coast Transit Company shall have paid the minimum fee prescribed by Section 57 of the Public Utilities Act, which fee is \$25.00.

- 3- Applicant Dunham 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.
- 4- Applicant West Coast Transit Company shall immediately file, in duplicate, tariffs of rates and time schedules or adopt as its own the tariff of rates and time schedules for said service as heretofore filed by applicant Dunham. All tariff of rates and time schedules to be identical with those as filed by applicant Dunham.
- 5- 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.
- 6- No vehicle may be operated by applicant West Coast Transit Company 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 22^d day of April, 1925.



C. Seavey

Egerton Shaw

Ernest C. ...

 COMMISSIONERS.

