

Decision No. 14844

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
Estate C. A. Lemm to sell and)
Green & Green to purchase an) Application No. 11003
Automobile (Passenger and Freight Line),)
operated between Blairsdon, California,)
and Sierra City, California.)

BY THE COMMISSION -

OPINION and ORDER

Ida C. Smith, executrix of the Estate of C. A. Lemm, has petitioned the Railroad Commission for authority to sell and transfer an operating right for an auto stage service for the transportation of passengers and freight between Blairsdon and Sierra City and intermediate points and G. R. Green and Ruby M. Green, as co-partners, under the firm name of Green & Green, have applied for authority to acquire said operating right and to hereafter operate thereunder, the sale and transfer to be in accordance with an agreement of sale marked "Exhibit A", which exhibit is attached to the application herein and made a part thereof.

The operating right, authority to transfer which is herein sought, was established by C. A. Lemm through operation by him prior to May 1, 1917, the filing of tariffs and time schedules in accordance with the Railroad Commission's General Order No. 47 and continuous operation of the line from May 1, 1917, to the time of the death of said C. A. Lemm, and thereafter by his estate.

The consideration to be paid for the property herein proposed to be sold and transferred is given as \$900., of which amount \$800. represents the value of certain equipment, and \$100

the value of the operating right.

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 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- Applicants Estate of C. A. Lemm 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 Green & Green 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 Estate of C. A. Lemm. All tariff of rates and time schedules to be identical with those as filed by applicant Estate of C.A.Lemm.
- 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 Green & Green 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 25th day of April, 1925.

C. A. Lemm

Green & Green

George D. Squires

Green & Green