

Decision No. 14858-

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
WILLIAM GIMINIANI to sell and)
PAUL DERKUM to purchase an automobile)
(Passenger and Express) line operated) Application No. 11028
between Bakersfield and Buttonwillow,)
and between Bakersfield and Arvin,)
California.)

BY THE COMMISSION -

OPINION AND ORDER

ORIGINAL

William Giminiani has petitioned the Railroad Commission for authority to sell and transfer operating rights for an automotive service for the transportation of passengers, baggage and express between Bakersfield and Buttonwillow, and between Bakersfield and Arvin store, and Paul Derkum has asked for authority to purchase and acquire said operating rights and hereafter operate thereunder, said sale and transfer to be in accordance with a sale 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, including certain equipment, is given as \$2282.96.

The operating rights herein proposed to be transferred were acquired from the Railroad Commission by Applicant Giminiani in Decision No. 8855, dated April 14, 1921; Decision No. 9404, dated August 30, 1921, and Decision No. 9650, dated October 26, 1921. In Decision No. 8855, on Application No. 6518, Giminiani was authorized to transport passengers, baggage and express between Bakersfield and Buttonwillow, via Rosedale and Bowerbank. In Decision No. 9650, on Application No. 6793, he was authorized to operate a passenger, baggage and express service between

Bakersfield and Arvin store, serving as intermediate points - Union Avenue plunge, Greenfield Store and Weed Patch. In Decision No.9650 on Application No.7268, the Commission authorized Giminiani to reroute his service between Bakersfield and Arvin by eliminating service to Union Avenue plunge and Greenfield store, and to give instead service via Magunden and Mt. View School.

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. Applicant Giminiani 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 Derkum shall immediately file, in duplicate, tariffs 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 Giminiani. All tariff of rates and time schedules to be identical with those as filed by applicant Giminiani.
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 Derkum 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 24th day of April, 1925.

W. H. ...
Chairman

George D. ...
Commissioner