

Decision No. 14856

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
G. LAWRENCE RITCHIE to sell and )  
W. W. WOOD to purchase a one-half )  
interest in an automobile stage and ) Application No. 11031  
freight line between San Diego and )  
Oak Grove, California. )

BY THE COMMISSION -

OPINION AND ORDER

ORIGINAL

G. Lawrence Ritchie has petitioned the Railroad Commission for authority to sell and transfer to W. W. Wood a one-half interest in an operating right for an automotive service for the transportation of passengers and freight between San Diego and Warner's Hot Springs and certain intermediate points, and W. W. Wood has petitioned for authority to purchase and acquire said half interest and thereafter, with Ritchie as a co-partner, continue operation of said service, the sale and transfer to be in accordance with an agreement of sale marked "Exhibit A", which 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 given as \$3000. which sum is said to represent the value of a one-half interest in the business, its good will, operating right and certain equipment listed in the sale agreement attached to the application herein and made a part thereof.

The operating right herein sought to be transferred was granted to C. E. Means by the Railroad Commission in its Decision No. 7607, dated May 24, 1920, on Application No. 5240, which decision declared that public convenience and necessity required the operation by C. E. Means of an auto service for the transportation of passengers and freight between San Diego and Warner's

Hot Springs, Montezuma, Oak Grove and other mountain points. The order in Decision No.7607 contained the restriction that no passengers or freight were to be transported over the portion of the route between San Diego and Santa Ysabel. On June 10,1921, C. E. Means filed tariffs, effective June 13, 1921, quoting passenger fares between Santa Ysabel and Warner's Hot Springs, Montezuma Valley and Oak Grove Valley only, and rates for transporting freight between San Diego and Warner's Hot Springs and intermediate points named, in conformity with the restrictions in Decision No.7607.

In Decision No.10321, dated April 1, 1922, the Railroad Commission approved the sale and transfer by C. E. Means of the operating right granted in Decision No.7607 to G. Lawrence Ritchie, requiring among the provisions of the order that Ritchie adopt or file in his own name tariffs identical with those previously filed by Means. On April 27, 1922, Ritchie filed in his own name tariffs identical with those filed with this Commission by his predecessor in interest, C. E. Means.

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. Approval of the sale and transfer, however, is granted with the distinct understanding that the right to transport passengers must not be enlarged beyond the territory shown in the tariffs filed by Means and subsequently reissued by Ritchie, unless authority so to do shall first be 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 Ritchie 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 Wood and Ritchie, a co-partnership, 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 Ritchie. All tariff of rates and time schedules to be identical with those as filed by applicant Ritchie.
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 Wood and Ritchie, a co-partnership, 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 29<sup>th</sup> day of  
April, 1925.

H. B. Brundage

C. Seavey

George D. Squire

COMMISSIONERS.