

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
GEORGE B. CHILDS, doing business under)
the name of PENINSULA PARCEL DELIVERY)
for authority to transfer his operative)
rights between San Francisco, San Jose)
and intermediate points, to J. E. CASEY)
and of J. E. CASEY to acquire same.)

Application No. 11006

BY THE COMMISSION -

OPINION and ORDER

George B. Childs has petitioned the Railroad Commission for authority to sell and transfer operating rights for all automotive service for the transportation of property between San Francisco and San Jose and intermediate points and J. E. Casey has petitioned for authority to purchase and acquire said operating rights and hereafter operate thereunder, the sale and transfer to be in accordance with an agreement of sale marked "Exhibit C", which Exhibit C is attached to the application herein and made a part thereof. Applicant Casey also requests authority to file a new tariff of rates, rules and regulations instead of the tariff of rates, rules and regulations now on file under the name of Peninsula Parcel Delivery, George B. Childs, owner.

The consideration to be paid for the property herein proposed to be transferred is given as \$17,000, of which sum \$16,000 is said to be the value of certain office, shop and automotive equipment, all of which is listed in a document marked "Exhibit A", which is attached to the application herein and made a part thereof.

The operating rights herein proposed to be transferred consist of a right to transport property between San Francisco and Palo Alto and intermediate points, established by Applicant Childs prior to May 1, 1917, as shown by tariffs filed with the Railroad Commission in accordance with its General Order No.47, and tariff regulations and a certificate of public convenience and necessity authorized with certain restrictions, transportation of express matter between Palo Alto and San Jose and the intermediate points of Mayfield, Mt. View, Los Altos and Santa Clara, as an extension of the service established by Childs by reason of operation prior to May 1, 1917, which certificate was granted by the Railroad Commission in Decision No.9193, dated June 30, 1921, on Application No.6722.

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, particularly in view of the fact that Applicant Casey, a man of wide experience in the parcel delivery business and has the approval of San Francisco shippers in his plan to acquire the business of applicant Childs, which approval is expressed in letters to the Commission assenting to the rate and other changes proposed by applicant Casey in the comprehensive tariff submitted by him as part of the application herein.

IT IS HEREBY ORDERED that the above entitled application be, and the same hereby is granted, subject to the following conditions:

- 1-That applicant Childs shall immediately cancel all tariffs and time schedules filed by him with the Railroad Commission under the name of Peninsula Parcel Delivery, and applicant Casey shall immediately file, in duplicate, tariffs of rates, rules and regulations which shall be a duplicate of the tariff of rates, rules and regulations marked "Amended Exhibit B" as attached to the application herein and made a part thereof.

- 2- 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.
- 3- 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.
- 4- No vehicle may be operated by applicant Casey 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 12th day of May, 1925.

H. B. ...

C. ...

Egerton Shore

George D. Squire

COMMISSIONERS.