

Decision No. 15159

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
G. F. ALBRIGHT to sell his interest in, )  
and of R. E. O'BRIEN to purchase the ) Application No. 11277  
interest of said Albright in an automo- )  
bile freight line operating between )  
Stockton and Oakdale, California. )

BY THE COMMISSION -

ORIGINAL

OPINION AND ORDER

In the above entitled proceeding G. F. Albright petitions the Railroad Commission for authority to sell and transfer his right, title and interest in the partnership of G. F. Albright and R. E. O'Brien, operating under the fictitious name and style of Goodell Transfer Company, and R. E. O'Brien joint in the application petitioning for authority to purchase and acquire the right, title and interest of said G. F. Albright.

The operative right for the motor truck line in question between Stockton and Oakdale was acquired by the present partnership and authorized by this Commission's decision No. 14346, dated December 9, 1924.

The consideration for the property herein proposed to be transferred is the dissolution of said partnership and the division of its assets between the members of the partnership.

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. G. F. Albright and R. E. O'Brien, a partnership heretofore operating under the name and style of Goodell Transfer Company, 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 R. E. O'Brien 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 the partnership of G. F. Albright and R. E. O'Brien. All tariffs, rates and time schedules to be identical with those as heretofore filed by the partnership of G. F. Albright and R. E. O'Brien.
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 R. E. O'Brien unless such vehicle is owned by said applicant or is leased by him under a contract or agreement on a basis satisfactory to the Railroad Commission.

Dated at San Francisco, California, this 8<sup>th</sup> day of  
July, 1925.

H. B. Brundage  
C. Seaver

George D. Squires  
Ernest West  
-2- COMMISSIONERS.