

ORIGINAL

Decision No. 15728

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the letter of the Application of)
E. R. MICHAEL and GEORGE F. WEISNER.)
to sell, and JOHN S. ZUCKERMAN to)
purchase an automobile passenger and) Application
express lino operated between Oakdale) No. 11362
and Modesto, California, and intermediate)
points.)

BY THE COMMISSION -

OPINION AND ORDER

E. R. Michael and George F. Weisner, operating an automobile passenger and express service between Oakdale and Modesto and intermediate points, under the name of Modesto-Oakdale Auto Stage, make application to sell and transfer the operative rights and equipment and John S. Zuckerman joins in the application with a petition to purchase, acquire and hereafter operate the same, the sale and transfer to be by and under the terms of an agreement marked Exhibit "A" attached to and forming a part of the application herein.

The operative rights under consideration were acquired by applicant E. R. Michael and George F. Weisner under and by the terms and conditions of this Commission's Decision No. 7795, on Application No. 5162, as decided June 24, 1920.

The consideration to be paid by the purchaser is \$3000. The value placed on the operative rights is \$1500, and a like amount for the equipment consisting of one Locomobile stage with an extra engine.

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 application herein be, and the same hereby is granted, subject to the following conditions:

- 1- That 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 E. R. Michael and George F. Weisner shall immediately cancel all tariffs of rates and time schedules now on file with the Railroad Commission, such cancellation to be in accordance with the provisions of General Order No. 51, of the Railroad Commission.
- 3- Applicant John S. Zuckerman shall immediately file, in duplicate, tariff of rates and time schedules, or adopt as his own the tariff of rates and time schedules now on file with the Commission by applicants E.R. Michael and George F. Weisner, all rates and time schedules to be identical with those heretofore filed by applicants E.R. Michael and George F. Weisner.
- 4- That the rights and privileges herein authorized to be transferred may 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- That no vehicle may be operated by applicant John S. Zuckerman under the authority hereby conferred unless such vehicle is owned by him or is leased under a contract or agreement on a basis satisfactory to the Railroad Commission.

Dated at San Francisco, California, this 14th day of July, 1925.

C. Stearns
George D. Squier
E. R. Michael
