

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 Lavery 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 Newton and Biggart shall immediately file, in duplicate, tariffs of rates and time schedules or adopt ~~astheir own~~ the tariff of rates and time schedules for said service as heretofore filed by applicant Lavery. All tariff of rates and time schedules to be identical with those as filed by applicant Lavery.
- 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 Newton and Biggart 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 12th day of August, 1925.

O. C. Sawyer

George D. Squires

Leon Whitall

COMMISSIONERS.