

Decision No. 15326

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
FLORECEA EDELBLUTE, as Administratrix)
of the Estate of JOHN LEMUEL EDELBLUTE,) Application No. 11,594
deceased, to sell the franchise of)
"Edelblute's Truck Line Service.")

BY THE COMMISSION -

OPINION AND ORDER

Florence Edelblute, as Administratrix of the Estate of John Lemuel Edelblute, has petitioned the Railroad Commission for authority to sell and transfer an operating right for an automotive freight service between Santa Barbara and Santa Ynez and intermediate points, and Soren Sorensen has applied for authority to purchase and acquire said operating right and to hereafter operate thereunder, the transfer and sale to be in accordance with a document marked "Bill of Sale", which document 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 \$150, which sum is named as the value of the operating right. No other property is involved.

The operating right herein sought to be transferred was granted to J. L. Edelblute by the Railroad Commission in Decision No. 9151, dated June 24, 1921, on Application No. 6608. The certificate of convenience and necessity granted in that proceeding authorizes operation of an auto truck freight service between Santa Barbara and Santa Ynez, serving Gaviota, Las Cruces, Buell, Solvang and Los Olivos as intermediate points. Edelblute maintained service between the above named points until his death on November 1, 1924. Since then the

service has been maintained by Florecia Edelblute, his widow and Administratrix of his estate, one of the applicants herein. She declares that she can no longer maintain an efficient service and proposes to transfer her operating right to Soren Sorensen, who operates a passenger, express and freight service between Gaviota and Solvang and Santa Ynez and other points under a certificate granted by the Railroad Commission, which certificate places certain restrictions and limitations on the Sorensen operations, both as to points to be served and service to be given. In granting the application herein these restrictions will be borne in mind and the order herein shall not be construed as granting authority to said Sorensen to in any way change or alter such restrictions.

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 Florecia Edelblute, as Administratrix of the Estate of John Lemuel Edelblute, deceased, 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 Soren Sorensen 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 applicant Florecia Edelblute, as Administratrix of the Estate of John Lemuel Edelblute, deceased. All tariff of rates and time schedules to be identical with those as filed by applicant Florecia Edelblute, as Administratrix of the Estate of John Lemuel Edelblute, deceased.

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 Soren Sorensen unless such vehicle is owned by said applicant or is leased under a contract or agreement on a basis satisfactory to the Railroad Commission.
6. That the authority herein granted shall not be construed as authorizing any change in the service now being given by Soren Sorensen and Edelblute's Truck Line Service, and that no change or alteration in the service now being given and rates now being charged by Sorensen and Edelblute, under their respective certificates, shall be made until authority for such change has first been obtained from the Railroad Commission.

Dated at San Francisco, California, this 21st day of August, 1925.

O'Leary

George D. Quinn

Edward J. ...

Leon ...
COMMISSIONERS.