

ORIGINAL

Decision No. 15342

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
A. F. SCHWARTZ to sell and transfer,)
and F. A. ODER to purchase a one-half) Application No. 12,628
interest in auto truck lines between)
Los Angeles and Inglewood and)
Los Angeles and Redondo Beach and)
intermediate points.)

BY THE COMMISSION -

OPINION and ORDER

A. F. Schwartz has petitioned the Railroad Commission for authority to sell and transfer a half interest in an operating right for an automotive truck service between Los Angeles and Inglewood, El Segundo and intermediate points, and between Los Angeles and Redondo Beach, and F. A. Oder has applied for authority to purchase and acquire said half interest and to hereafter operate as an individual the auto truck services heretofore operated by Schwartz and Oder, co-partners, the sale and transfer to be in accordance with the terms of an agreement marked "Exhibit A", which exhibit 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 the sum of \$3750 of which amount \$2875 is named as the value of truck equipment, \$370 the value of depot and office equipment, \$250 the value of depot lease and \$255 the value of the half interest in the operating rights.

The operating rights herein sought to be transferred were acquired by the partnership of Schwartz & Oder, the Commission approving the sale and transfer to Schwartz & Oder of the Los Angeles-Redondo Beach right in its Decision No. 13437, dated

April 18, 1924, on Application No.9930. The Los Angeles-Inglewood-El Segundo right was also acquired by purchase, approval of the transfer being granted by the Commission in its Decision No.14578, dated February 18, 1925, on Application No.10578.

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 Schwartz 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 Oder 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 applicants Schwartz and Oder, a co-partnership. All tariff of rates and time schedules to be identical with those as filed by applicants Schwartz and Oder.
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 Oder 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 26th day of August, 1925.

George D. Spurr
Emmett Ford
Leon Whitell

COMMISSIONERS.