

Decision No. 15416

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of JAMES ORR and J. W. STOFT to)
sell, and ELMER L. WEBB and ROY C.)
WEBB to purchase, an automobile)
passenger and freight line operated)
between San Pasqual Valley and San)
Diego, California.)

APPLICATION NO. 11507

ORIGINAL

C. K. Fitzgerald, for Applicant

BY THE COMMISSION:

O P I N I O N

James Orr and J. W. Stoft, co-partners engaged in the operation of an automobile stage line for the transportation of passengers, and also freight, between San Pasqual and San Diego, have made application to the Railroad Commission for authority to sell and transfer their operating rights to Elmer L. Webb and Roy C. Webb, who join as parties to the application.

A public hearing herein was conducted by Examiner Williams at San Diego.

Applicants Orr and Stoft obtained their operating rights by purchase from Georgeson Brothers under authority of Decision No. 15104 on Application No. 11233, dated June 25, 1925. Georgeson Brothers' rights were obtained by purchase from E. E. Webb under Decision No. 9068 on Application No. 6874, dated June 8, 1921. The consideration between the

parties in the instant proceeding is \$4500.00, which includes certain equipment now in use by Orr and Stoft valued at about \$3500.00. The principal business of this line is the transportation of milk and dairy products between San Pasqual and San Diego, with a return movement of dairy supplies and light freight to San Pasqual.

The granting of the application was not opposed, and other applicants for similar service, as to milk and dairy supplies, withdrew their applications in favor of applicants Webb Brothers. There appears to be no reason why the transfer should not be authorized, the purchasers being now engaged in similar business between Oceanside and San Diego and other points, and possessing experience and financial ability to conduct an efficient operation. In fact, it was stated by counsel for other applicants that the service proposed by Webb Brothers was satisfactory to all dairy shippers in the San Pasqual Valley, and that other applicants would withdraw because of that reason.

O R D E R

James Orr and J. W. Stoft, co-partners, having made application to the Railroad Commission for authority to sell and transfer certificate for the operation of an automobile passenger and freight line between San Pasqual Valley and San Diego, to Elmer L. Webb and Roy C. Webb, co-partners, who join as parties to the application, a public hearing having been held, the matter having been duly submitted and now being ready for decision,

IT IS HEREBY ORDERED that the application herein be and the same hereby is granted, subject to the following conditions:

- I. 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.
- II. Applicants James Orr and J. W. Stoft shall immediately cancel tariff of rates and time schedules on file with this 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.
- III. Applicants Elmer L. Webb and Roy C. Webb shall immediately file, in duplicate, tariffs of rates and time schedules, or adopt as their own the tariff of rates and time schedules for said service as heretofore filed by applicants James Orr and J. W. Stoft, all tariff of rates and time schedules to be identical with those filed by applicants James Orr and J. W. Stoft.
- IV. 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.
- V. No vehicle may be operated by applicants Elmer L. Webb and Roy C. Webb unless such vehicle is owned by said applicants or is leased by them under a contract or agreement on a basis satisfactory to the Railroad Commission.

For all other purposes the effective date of this order shall be twenty (20) days from and after the date hereof.

Dated at San Francisco, California, this 19th day of September 1925.

H. B. Brundige

C. Stacey

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Leon W. Hall

Commissioners.