

Decision No. 15599

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
G. A. LAU & COMPANY to sell, and)
FRIZELLE, EALES & COMPANY to purchase) Application
an automobile freight line operated) No. 11853
between Cotati and Petaluma, California.)

BY THE COMMISSION -

OPINION and ORDER

ORIGINAL

G. A. Lau, doing business under the name and style of G. A. Lau & Company, has applied to the Railroad Commission for authority to sell and transfer an operating right for an automobile service for the transportation of eggs and egg cases between Cotati and Petaluma to S. R. Frizelle, H. C. Eales and Tracy Boerstler, co-partners, doing business under the firm name and style of Frizelle, Eales & Company, and Frizelle, Eales & Company have applied for authority to purchase and acquire said operating right and to hereafter operate thereunder, 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 involved in the agreement of sale is \$35,000, which amount is said to represent the value of the general store business of G.A. Lau & Company. The equipment used by Lau in the service of transporting eggs and egg cases under the terms of his certificate is given a value of \$5000 and the operating right herein proposed to be transferred is said to have a value of \$1.

The operating right herein proposed to be transferred was granted to G.A. Lau by the Railroad Commission in Decision No. 11212, dated November 10, 1922, issued on Application No. 8282.

Transportation of eggs and egg cases only is authorized by the certificate granted by the Commission.

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.

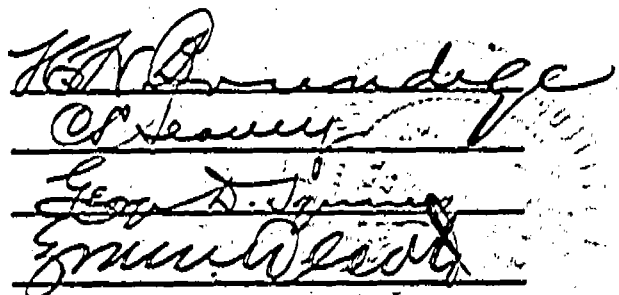
2- Applicant Lau shall immediately cancel tariff of rates and time schedules on file with the Commission covering service, certificate for which is herein authorized to be transferred. Such cancellation to be in accordance with the provisions of General Order No. 51.

3- Applicants Frizelle, Eales, and Boerstler 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 applicant Lau. All tariff of rates and time schedules to be identical with those as filed by applicant Lau.

4- The rights and privileges herein authorized may not be sold, leased, transferred nor assigned, nor service thereunder discontinued, unless the written consent of the Railroad Commission to such sale, lease, transfer, assignment or discontinuance has first been secured.

5- No vehicle may be operated by applicants Frizelle, Eales and Boerstler 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 6th day of November, 1925.


The block contains four handwritten signatures, each written over a horizontal line. The signatures are in cursive and appear to be those of the Railroad Commissioners.