

**ORIGINAL**

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of  
 L. E. MERSHON to sell, and of  
 JOHN D. KWIS to purchase fifteen  
 (15%) percent interest in an automobile  
 freight line operating between Fresno  
 and Los Angeles, California, and for the  
 transfer of all rights to a co-partnership,  
 consisting of F.M. Hodge, E.A. Rose and  
 John D. Kwis. )  
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 ) Application  
 ) No. 11901  
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BY THE COMMISSION -

OPINION and ORDER

L. E. Mershon, F. M. Hodge and E. A. Rose, co-partners, operating an automobile freight service between Fresno and Los Angeles under the name and style of San Joaquin Valley Transportation Company, have petitioned the Railroad Commission for an order approving the sale and transfer by L. E. Mershon of his one-fifteenth interest in the operating right under which said business has been conducted to John D. Kwis, and John D. Kwis together with F.M. Hodge and E. A. Rose, his co-partners, asks for authority to acquire said interest in said operating right and to hereafter operate thereunder, the sale and transfer to be in accordance with documents marked Exhibits A and B which exhibits are 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 \$500.

The operating right, a one-fifteenth interest in which it is proposed to transfer, was granted by the Railroad Commission to Hodge, Mershon and Rose, a partnership, in Decision No. 9460, dated September 3, 1921, issued on Application No. 6217. This partnership is about to be dissolved, Mershon retiring in favor of applicant Kwis. Future operations under the certificate will be conducted by a new partnership consisting of F.M. Hodge,

H. A. Rose and John D. Kwis.

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 proceeding 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- Applicants Hodge, Mershon and Rose 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 Hodge, Mershon and Kwis 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 Hodge, Mershon and Rose. All tariff of rates and time schedules to be identical with those as filed by applicants Hodge, Mershon and Rose.

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 Hodge, Mershon and Kwis 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 14th day of November, 1925.

H. A. Rose

John D. Kwis

George D. Squires

Leon Williams  
COMMISSIONERS.