

Decision No. 18696

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
W. R. Bennett, an individual, to)
sell and of R. E. Robson, an individ-)
ual, to purchase the operative right)
now possessed by W. R. Bennett, for)
the transportation of milk between)
the Artesia District and the City of)
Los Angeles.)

Application No. 11913

BY THE COMMISSION:

OPINION AND ORDER

ORIGINAL

W. R. Bennett has petitioned the Railroad Commission for authority to sell and transfer to R. E. Robson an operating right for the transportation of milk from the Artesia District to the City of Los Angeles and R. E. Robson has applied to the Commission for authority to purchase and acquire said operating right and to hereafter operate thereunder, the sale and transfer to be in accordance with an agreement of sale, which agreement 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 Four Hundred (\$400) Dollars, which sum is said to represent the value of the operating right. No equipment is involved.

The operating right herein proposed to be transferred was granted to applicant Bennett by the Railroad Commission in

its Decision No. 15457, dated September 24, 1925, issued on Application No. 11180. It authorizes the transportation of milk only from the Artesia district to creameries in Los Angeles, and provides that the service given shall not extend beyond the following boundaries:

On the east by Main Street, Artesia; on the south by First Street, Artesia; on the west by Ocean Avenue and extension thereof; and on the north by Center Street in Hynes and extension thereof in and through Artesia.

Applicant Robson is at the present time operating a transportation service, for the transportation of milk and dairy feed between the Hynes-Clearwater-Downey-Bellflower District and Los Angeles under authority of the Railroad Commission, as shown in its Decision No. 15458 issued on Application No. 11181.

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. That there shall be no enlargement of the Bennett service by Robson, by the transportation of dairy feed to the dairies in the Artesia District served under the authority granted to Bennett in Decision No. 15457.

2. 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.

3. Applicant Bennett 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.

4. Applicant Robson shall immediately file, in duplicate, tariff 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 Bennett. All tariff of rates and time schedules to be identical with those as filed by applicant Bennett.

5. 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.

6. No vehicle may be operated by applicant Robson unless such vehicle is owned by said applicant or leased under a contract or agreement on a basis satisfactory to the Railroad Commission.

Dated at San Francisco, California, this 30th
day of November, 1925.

H. B. Brandige
C. A. Sealey
George D. Spence
Ernest Costa
Leon Whitall
Commissioners.