

Decision No. 15801

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
C. J. GRAHAM and JOE MILLER, for an) Application No. 12302
order authorizing and permitting)
C. J. GRAHAM to sell, and JOE MILLER)
to buy Hanford, Corcoran Stage Line.)

BY THE COMMISSION -

OPINION and ORDER

ORIGINAL

C. J. Graham has petitioned the Railroad Commission for authority to sell and transfer to Joe Miller an operating right for the transportation of passengers, baggage and express between Hanford and Corcoran, and Joe Miller has applied 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 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 given as \$2625, which sum is said to represent the value of the operating right and certain equipment as shown in Exhibit "A".

The Railroad Commission, in its Decision No. 7743, dated June 19, 1920, and issued on Application No. 4399, granted to C. J. Graham, one of the applicants herein, a certificate of public convenience and necessity to operate an automobile stage line for the transportation of passengers, baggage and express between Hanford and Tulare, via Corcoran and intermediate points. In Decision No. 9738, dated Nov. 10, 1921, and issued on Application No. 7298, Graham was authorized by the Commission to discontinue service between Corcoran and Tulare, the order being based on a showing that the operation between Corcoran and Tulare was conducted at a loss. The operating right herein proposed to be

transferred covers service only between Hanford and Corcoran.

Applicant Miller operates an automobile stage service between Fresno and Hanford and also between Visalia and Lemoore.

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. Approval of the transfer, however, is not to be considered as authority for Applicant Miller to link up or join the Hanford-Corcoran right herein authorized to be transferred with the operative rights under which he is operating between Fresno and Hanford and Visalia and Lemoore.

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 Graham 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 Miller 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 applicant Graham. All tariff of rates and time schedules to be identical with those as filed by applicant Graham.

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 applicant Miller 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 28th day of
December, 1925.

W. H. B. ...
Clarence ...
George D. Squires
Leon ...
COMMISSIONERS.