

Decision No. 15823

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
W. E. CULLEN to sell, and TOLSON)
TRANSPORTATION SYSTEM to purchase) Application No. 12334
auto truck line operated between)
Los Angeles and El Monte.)

BY THE COMMISSION -

ORIGINAL

OPINION and ORDER

W. E. Cullen has petitioned the Railroad Commission for authority to sell and transfer to Tolson Transportation System, a corporation, an operating right for the transportation of freight between Los Angeles and El Monte and Tolson Transportation System 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 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 \$1800, of which sum \$1400 is claimed as the value of certain equipment and \$400 the value of the operating right and good will of the business.

The operating right herein sought to be transferred was established by applicant Cullen under authority of the Railroad Commission granted in Decision No. 7551, dated May 10, 1920, and issued on Application No. 4438, the certificate of public convenience and necessity granted by that decision providing for the operation of a service for the transportation of freight, baggage and express between Los Angeles and El Monte.

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 with the understanding, however, that in granting the authority to transfer the Commission in no way authorizes the linking up or merging of the Cullen right with the rights now owned by Tolson Transportation System.

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 Cullen 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 Tolson Transportation System shall immediately file, in duplicate, tariffs of rates and time schedules or adopt as its own the tariff of rates and time schedules for said service as heretofore filed by applicant Cullen. All tariff of rates and time schedules to be identical with those as filed by applicant Cullen.

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 Tolson Transportation System 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 3rd day of December 1925.

H. B. Boudillon
Chasey
George D. Quincy
Edward A. ...
Leon Whitehall
COMMISSIONERS.