

LW

Decision No. 15889

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
PIETRO RICCOMINI and RICCARDO TUNZI,
doing business under the fictitious
name and style of SALINAS VALLEY FREIGHT
LINE, and LOUIS COSTA, for the approval
of a certain agreement.)
Application
No. 12443

BY THE COMMISSION -

OPINION and ORDER

Pietro Riccomini and Riccardo Tunzi, co-partners, have petitioned the Railroad Commission for an order approving the sale and transfer by Pietro Riccomini to Louis Costa of Applicant Riccomini's undivided one-half interest in an operating right owned by the partnership of Riccomini and Tunzi for the transportation of property between San Francisco and ranches in the vicinity of Salinas, and Louis Costa has applied for authority to purchase and acquire said undivided one-half interest and to hereafter, with Riccardo Tunzi as a co-partner, operate thereunder, using the fictitious name and title of Salinas Valley Freight Line.

The consideration to be paid for the property herein proposed to be transferred is given as \$1000, all of which sum is said to represent the value of an undivided one-half interest in the good will of the business of Riccomini and Tunzi, as a going concern.

The operating right herein sought to be transferred was granted to Riccomini and Tunzi by the Railroad Commission in its Decision No. 15723, dated December 7, 1925, and issued on Application No. 10504. The certificate granted by Decision No. 15723 authorized -

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"operation of an auto truck service for the transportation of cheese, canned milk, cream, dairy products and meats from all farms, dairies and ranches lying within a zone extending laterally for a distance of seven (7) miles on either side of the main traveled state highway, extending from Salinas to King City, via Chualar, Gonzales, Soledad and Greenfield (excepting and excluding therefrom all territory within the corporate or town limits or areas of said cities or towns of Salinas, Chualar, Gonzales, Soledad, Greenfield and King City) to San Francisco; and for the transportation from San Francisco to all of said farms, dairies and ranches lying within the zone hereinabove described (excepting and excluding therefrom all territory within the corporate or town limits or areas of said cities or towns of Salinas, Chualar, Gonzales, Soledad, Greenfield and King City) of groceries, hardware, farm implements and farm supplies."

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 this 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-Applicants Riccomini and Tunzi shall immediately withdraw 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 Tunzi and Costa, co-partners, 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 Riccomini and Tunzi. All tariff of rates and time schedules to be identical with those as filed by applicants Riccomini and Tunzi.
- 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 Tunzi and Costa 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 21st day of January, 1926.

H. B. Brandt

C. L. Seavey

George D. Squires

Ernest D. Squires

COMMISSIONERS.