

ORIGINAL

Decision No. 15933

## BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of  
 JOSEPH J. RATTO to sell, and  
 ENRICO N. CUNEO to purchase a passenger  
 and freight line operated between Jackson,  
 Pine Grove and Volcano, California.

Application 12473

BY THE COMMISSION -

OPINION and ORDER

Joseph J. Ratto has petitioned the Railroad Commission for an order approving the sale and transfer of an operating right for an automobile service for the transportation of passengers and freight between Jackson and Volcano and intermediate points to Enrico N. Cuneo, and Enrico N. Cuneo 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 \$1100 is said to represent the value of certain equipment, and \$700 is named as the value of the operating right.

The operating right herein proposed to be transferred was granted to Joseph Ratto by the Railroad Commission in its Decision No. 5898, dated November 4, 1918, and issued on Application No. 4131.

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:

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

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 Cuneo 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 5<sup>th</sup> day of  
February, 1926.

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Leon Whitell

COMMISSIONERS.