

LRA

Decision 15953

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
C. H. WARRINGTON)
for permission to sell and assign)
his franchise for transportation of)
livestock.)

Application No. 12197

John W. Luter, for applicant.

BY THE COMMISSION:

O P I N I O N

In this application, as originally filed, C. H. Warrington applied for permission to sell, transfer and assign to C. H. Warrington Company, a corporation, the operative rights heretofore granted him by the Commission, and certain personal property, and C. H. Warrington Company, a corporation, applied for permission to issue \$75,000. of stock.

In an amended petition dated January 16, 1926, the request of the corporation to issue stock is withdrawn and it is reported that the contracts between the corporation and C. H. Warrington, attached to the original application, by mutual agreement have been canceled and rescinded. The Commission is asked

in this petition, to authorize the transfer of the operative rights to H. C. Greve, an individual, instead of to C. H. Warrington Company, a corporation.

A public hearing on the application, as amended, was held before Examiner Fankhauser in Los Angeles on January 20, 1926. The matter was submitted at that time and is now ready for decision.

The operative rights involved in this proceeding were granted to C. H. Warrington by the Commission by Decision No. 13835, dated July 23, 1924, in Application No. 9979, and by Decision No. 15288, dated August 13, 1925, in Application No. 11125, and permit the transportation of livestock by auto trucks over and along the following routes:-

I Under Decision No. 13835

Routes to and from Globe Mills Feed Yards and Union Stock Yards.

1. Signal Hill:- Via Downey Road to Downey, thence south Via College St. Ocean Ave., and Cherry St. to Signal Hill Packing Co.
2. Los Angeles:- Via Downey Road and East 9th St. to Houser Packing Co.
3. Los Angeles:- Via Downey Road, East 9th St. Santa Fe Ave., and Lyon St., to Wilson and Cudahy Packing Houses.
4. Los Angeles:- Via Downey Road, East 9th St. Boyle Ave., Chicago St. East 1st St., Pleasant St., Summit Ave., Aliso St., and Lyon St. to Wilson Packing House, or Via Macy St., to Cudahy Packing House.
5. Vernon:- Via Downey Road, and Vernon Ave., to Vernon Packing House District.

II Under Decision No. 15288

Route
No.

1. To Pomona, Ontario and San Bernardino.
From Stock Yards located in Central Manufacturing District, Los Angeles County, via Lorena Street to Whittier Boulevard, via Whittier Boulevard, San Gabriel Boulevard and El Monte Road to Durfee Road, thence to Valley Boulevard near Bassett, thence via Valley Boulevard to Pomona, Ontario and San Bernardino.
2. To San Fernando.
Via Santa Fe Avenue and North Broadway to San Fernando Road, thence to San Fernando.
3. To Lankershim.
Same route as No. 2 to Burbank, thence west to Lankershim via Alameda Street.
4. To Anaheim.
Via Downey-Norwalk Road to Norwalk, through Buena Park to Anaheim via Orangethorpe Avenue.
5. To Talbert, via Downey-Norwalk Road to Norwalk, thence via Artesia Avenue through Artesia and Los Alamitos to Long Beach - Santa Ana Road, thence via Huntington Beach Boulevard and Talbert Avenue.
6. To Bellflower, via Downey Road, College Avenue and Ocean Avenue to Artesia Boulevard, and via Clark Street to plant.
7. To Playa del Rey, via Downey Road - Slauson Avenue, West Boulevard and Centinela Boulevard to plant.
8. From Stock Yards via Downey Road to Slauson Avenue, west to Hyde Park, southwest on Inglewood-Redondo Road to Inglewood and Redondo. From Inglewood via Centinela Boulevard to Playa del Rey. From Inglewood northwest to Washington Boulevard at Charez, thence Washington Boulevard to Venice, Ocean Park and Santa Monica.
9. From Stock Yards via Santa Fe Avenue and North Broadway to San Fernando Road, thence through Burbank to Saugus, via Ridge Route to Bakersfield. North of Bakersfield via State Highway to Delano and to Visalia via Tulare. From Delano to Porterville via State Highway. From Saugus via Mint Canyon and State highway to Palmdale, Lancaster and Mojave.

Route
No.

10. Via Route 9 to Burbank, thence west via Alameda Street to Lankershim, via Sherman Way to Van Nuys and Owensmouth, and via DeSoto Street to Chatsworth. From Owensmouth southwest 4 miles to Ventura Boulevard, via Ventura Boulevard through Calabasas and Newberry Park to Camarillo and Oxnard. From Chatsworth via Santa Susanna Pass to Moorpark and Ventura. From Saugus on Route 9 west via State highway through Castiac, Piru, Fillmore and Santa Paula to Ventura. From Ventura via Coast highway to Carpinteria and Santa Barbara.
11. From Stock Yards via Coyote Pass Road, Fremont Avenue and Fair Oaks to Pasadena, via Fremont Avenue to Huntington Boulevard, thence east to Arcadia and Sierra Madre and Monrovia. From Stock Yards via Whittier Boulevard, San Gabriel Boulevard and El Monte Road to El Monte, El Monte - Covina Road to Baldwin Park, Covina and San Dimas, thence north to Glendora on Foothill Boulevard. Via Route 1 to San Bernardino, thence on State highway to Victorville and Box S Ranch. From Ontario on Route 1 to Riverside and Colton, thence east from Riverside via State highway through Banning to Imperial Valley points.
12. From Stock Yards via Whittier Boulevard through Montebello, Pico, Whittier, to Fullerton, thence via Santa Ana Canyon to Corona, thence via Corona - Elsinore Road to Elsinore and Perris, and San Jacinto - Perris Road to Hemet. Via San Diego - Inland Route to Temecula, Fallbrook, Bonsall and Escondido.
13. From Stock Yards via Downey Road to Cerritos and Hynes, thence 3 miles east to Bellflower, thence east to Artesia and Los Alamitos, south to Westminster and east on Long Beach Boulevard to Garden Grove, south to Talbert, thence southwest to Seal Beach and Balboa, and via Coast Road to Laguna Beach.
14. From Stock Yards via Telegraph Road through Santa Fe Springs, Buena Park, to Anaheim, thence via San Diego highway to Orange, Santa Ana, Oceanside and San Diego.
From San Diego east via Dulzura to Campo and via El Cajon to Descanso. From San Diego south to Mexico border at Tia Juana via National Avenue.
15. From Stock Yards via Downey Road to Slauson Avenue, thence to Harbor Truck Boulevard and south to Compton, Dominguez and Wilmington.

In addition to the operative rights C. H. Warrington has agreed to transfer to H. C. Greve, subject to outstanding indebtedness, certain properties described in Exhibit "1" as follows:-

Fordson and Utility tractor - - - - -	\$1,500.	
United 4-ton truck- - - - -	5,600.	
Ford 2-ton truck- - - - -	1,350.	
Trailer 5-ton - - - - -	<u>1,260.</u>	\$9,710.

Less:- Indebtedness

On Fordson - - - - -	\$ 335.	
On trailer - - - - -	750.	
On trailer body- - - - -	350.	
On Ford- - - - -	560.	
Insurance- - - - -	123.	
Note - - - - -	400.	
Repairs- - - - -	63.	
Miscellaneous- - - - -	<u>1,000.</u>	\$3,581.

Net value-----\$6,129.

The consideration to be paid, according to the agreement between C. H. Warrington and H. C. Greve, a copy of which is filed as Exhibit "A", is \$4,000., payable \$700. upon the execution of the agreement, \$75., and interest, monthly thereafter until \$1,600. (including the \$700.) has been paid and thereafter two percent of the total gross income from the business until the entire \$4,000. has been paid, deferred payments to bear interest at eight percent per annum.

ORDER

C. H. Warrington having applied to the Railroad Commission for an order authorizing the transfer of operating rights and certain personal properties, a public hearing having

been held and the Commission being of the opinion that the application should be granted as herein provided,

IT IS HEREBY ORDERED that C. H. Warrington be, and he is hereby, authorized to transfer to H. C. Greve, subject to outstanding liabilities, the properties described in Exhibit "1" filed in this proceeding and the operative rights heretofore granted him by Decision No. 13835, dated July 23, 1924, in Application No. 9979 and by Decision No. 15288, dated August 13, 1925 in Application No. 11125 permitting the transportation of livestock over and along the routes described in the opinion preceding this order, such transfer to be in accordance with the terms and provisions of the agreement, dated January 15, 1926, between C. H. Warrington and H. C. Greve, the execution of which agreement is hereby authorized.

The authority herein granted is subject to the following conditions:-

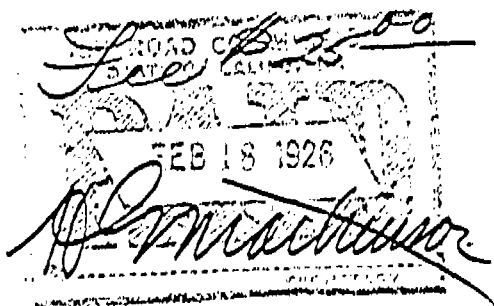
- (1) The consideration to be paid for the property herein authorized to be transferred shall never be urged before this Commission or any court or other public body having jurisdiction as a measure of value of said property for rate fixing or any purpose other than the transfer herein authorized.
- (2) As required by the Commission's General Order No. 51, C. H. Warrington shall cancel immediately the tariffs of

rates and time schedules now on file with the Commission covering the service the certificate for which is herein authorized to be transferred, and H. C. Greve shall file immediately, in duplicate, new tariffs of rates and time schedules, or adopt as his own the tariffs of rates and time schedules heretofore filed by C. H. Warrington, all tariffs of rates and time schedules filed or adopted by H. C. Greve to be identical with those heretofore filed by C. H. Warrington.

- (3) The rights and privileges herein authorized to be transferred shall not hereafter be discontinued, sold, leased, transferred, hypothecated, or assigned unless the written consent of the Railroad Commission has first been secured.
- (4) No vehicle may be operated by H. C. Greve unless it is owned by him or is leased under a contract or agreement on a basis satisfactory to the Commission.
- (5) The authority herein granted shall become effective when H. C. Greve has paid the minimum fee prescribed by Section 57 of the Public Utilities Act and Section 6 of the Auto Stage and Truck Transportation Act, which fee is Twenty-five (\$25.00) Dollars.

IT IS HEREBY FURTHER ORDERED that the request of
C. H. Warrington Company, a corporation, to issue \$75,000. of
stock be, and it is hereby, dismissed without prejudice.

DATED at San Francisco, California, this 8th day
February
of ~~January~~, 1926.



H. P. MacArthur
C. H. Warrington
Greenwood
Leon Whitell

Commissioners.