

Decision No. 16455

ORIGINAL

## BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of  
 N. A. WEBB and F. S. HENDRICKS to  
 sell, and T. C. GILLESPIE to purchase  
 an automobile and truck passenger,  
 freight, package and express line  
 operated between Los Angeles and  
 Pasadena, California, and Mount Wilson,  
 California, known as Mount Wilson Stage  
 Line.

Application No. 12691

BY THE COMMISSION -

OPINION and ORDER

N. A. Webb and F. S. Hendricks, co-partners, have petitioned the Railroad Commission for an order authorizing the sale and transfer by them to T. C. Gillespie of operating rights for an automobile service for the transportation of persons and property between Los Angeles and Pasadena and Mt. Wilson, and T. C. Gillespie 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 \$20,000, of which sum \$19,900 is said to be the value of certain equipment and other property, and \$100 is named as the value of the operating rights.

The freight and express operating rights herein proposed to be transferred were granted to Webb and Hendricks, co-partners, by the Railroad Commission in its Decision No. 10121, dated February 24, 1922, and issued on Applications No. 7469 and 7470. The Commission in Decision No. 10121 authorized the partners to transport freight from Pasadena to Mt. Wilson, and packages and express matter from Pasadena and Los Angeles to Mt. Wilson. This service is limited to such property as is delivered to the terminals of the partner-

ship in Los Angeles and Pasadena. The right to transport passengers was acquired by Webb and Hendricks by reason of operation between Los Angeles and Pasadena and Mt. Wilson prior to May 1, 1917, and the proper filing of tariffs showing the service performed and the rates charged between these points.

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 provisions:

1- That the authority herein granted shall not be construed as in any way authorizing the linking up or consolidation of the right herein transferred with the operating rights now owned by T. C. Gillespie.

2- That this order shall not become effective until there has been paid to the Railroad Commission the fee required by the Public Utilities Act and the Auto Stage and Truck Transportation Act on evidences of indebtedness payable over a period of more than 12 months, in this instance the minimum fee of \$25.00.

3- 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.

4- Applicants Webb and Hendricks 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 withdrawal to be in accordance with the provisions of General Order No. 61.

5- Applicant Gillespie shall immediately issue in his own name, in duplicate, tariff of rates and time schedules covering service now being given by Webb and Hendricks, said tariff of rates and time schedules to be identical with those now on file with the Railroad Commission or rates and schedules satisfactory in form and substance to the Railroad Commission.

6- 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.

7- No vehicle may be operated by applicant Gillespie 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, 9<sup>th</sup> day of  
April, 1926.

H. H. Brundage  
Chairman  
Grounds

COMMISSIONERS.

Fee \$25.00

H. C. Matheson