

Decision No. 16470

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
WM. F. BOEHLERT to sell, and TOLSON)
TRANSPORTATION SYSTEM, Inc., to pur-) Application No. 12684
chase an automobile freight line)
operated between Los Angeles and)
Gardena.)

BY THE COMMISSION -

OPINION and ORDER

ORIGINAL

William F. Boehlert has petitioned the Railroad Commission for an order approving the sale and transfer by him to Tolson Transportation System, Inc., of operating rights for an automobile service for the transportation of freight between Los Angeles and Gardena and intermediate points, and Tolson Transportation System, Inc., has applied for authority to purchase and acquire said operating rights 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 \$8000, of which sum \$2250 is said to be the value of certain equipment and \$5750 the value of real estate and improvements. No value is claimed for the operating right.

The operating rights herein proposed to be transferred were originally granted to W. F. Boehlert by the Railroad Commission in its Decision No. 7528, dated May 3, 1920, and issued on Application No. 4017, and in Decision No. 9689, dated October 31, 1921, and issued on Application No. 7136. Decision No. 7528 authorized Boehlert, who had bought the business of William Worrell, to operate a freight service between Los Angeles and Gardena. In Decision No. 9689, the Commission authorized Boehlert to operate between Sunnyside, Panama Acres, West Athens, Athens, Bridgedale, Perry, Moneta, Mc Kinley Home and intermediate points as an enlargement of his

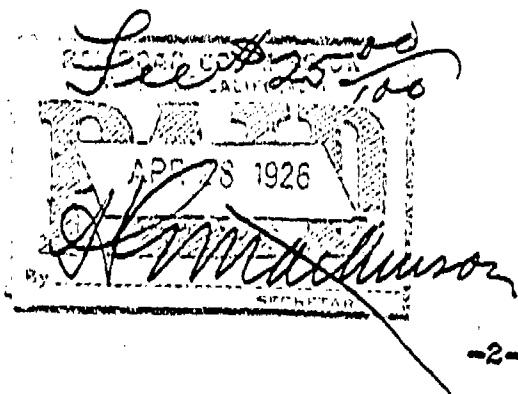
Los Angeles-Gardena service.

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:

- 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 Boehlert 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.51.
- 3- Applicant Tolson Transportation System, Inc., shall immediately file in its own name, in duplicate, tariff of rates and time schedules identical with those filed by Boehlert or tariffs and time schedules satisfactory in form and substance to the Railroad Commission.
- 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, Inc., unless such vehicle is owned by said applicant or is leased under a contract or agreement on a basis satisfactory to the Railroad Commission.
- 6- 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 extending over a period of 12 months, in this instance the minimum fee of \$25.
- 7- The authority herein granted shall not be construed as in any way granting Tolson Transportation System, Inc., authority to merge or consolidate the Boehlert right with the existing rights of the Tolson System.

Dated at San Francisco, California, this 12th day of April 1926.



W. B. Brundage
C. C. Seaver
James L. Cook
Leon O. White

COMMISSIONERS.