

Decision No. 16994

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
CALIFORNIA TRANSIT CO., a corporation, )  
to lease to C.E. Stavros operative ) Application No. 12950  
rights between Los Banos and Merced. )

BY THE COMMISSION -

OPINION and ORDER

ORIGINAL

California Transit Company, a corporation, has petitioned the Railroad Commission for an order authorizing it to lease to C. E. Stavros an operating right for an automobile service for the transportation of passengers and express between Los Banos and Merced and the intermediate points of Chowchilla Ranch and Santa Rita Ranch, and C. E. Stavros has applied for authority to enter into such lease and to hereafter operate said Los Banos-Merced service in accordance with its terms. A copy of the proposed lease is attached to the application herein and made a part thereof.

The operating right herein proposed to be leased was acquired by California Transit Company, a corporation, by purchase from Jos. Miller, the Railroad Commission approving the transfer of the right in its Decision No. 14886, dated May 7, 1925, and issued on Application No. 10679. No equipment is involved, applicant Stavros proposing to use equipment now used in an automobile service operated by Stavros Bros., a partnership, under authority of the Railroad Commission between Merced and Merced Falls.

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- That the authority to lease the operating right herein described as a right for service between Los Banos and Merced shall not in any way be construed as authorizing C.E.Stavros to link up and join said operating right with the right under which Stavros Bros. are now operating an automobile service between Merced and Merced Falls.

2- The consideration to be paid for the property herein authorized to be leased 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 lease herein authorized.

3- Applicant, California Transit Company, a corporation, shall immediately withdraw tariff of rates and time schedules on file with the Commission covering service, certificate for which is herein authorized to be leased. Such withdrawal to be in accordance with the provisions of General Order No.51.

4- Applicant, C. E. Stavros, shall immediately file in his own name, in duplicate, tariff of rates and time schedules covering service between Los Banos and Merced, which rates and time schedules shall be identical with the rates and time schedules covering service between those points now on file with the Railroad Commission in the name of California Transit Company, a corporation, or tariffs and time schedules satisfactory in form and substance to the Railroad Commission.

5- 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.

6- No vehicle may be operated by applicant C.E.Stavros 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 25<sup>th</sup> day of  
June, 1926.

H. H. B. ...  
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COMMISSIONERS.