

Decision No. 17000

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
MURRAY D. BAYLES, under the name of)
WHEELER'S HOT SPRING STAGE LINE ,)
authorizing him to sell, and of) Application
EUGENIE GATJENS to purchase automobile) No. 12966
stage operating rights between Los)
Angeles and Wheeler's Hot Springs.)

BY THE COMMISSION -

OPINION and ORDER

ORIGINAL

Murray D. Bayles has petitioned the Railroad Commission for an order authorizing him to sell and transfer to Eugenie Gatjens an operating right for an automobile service for the transportation of passengers and express matter between Los Angeles and Wheeler's Hot Springs and intermediate points, and Eugenie Gatjens 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 of sale 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 \$1500.

The operating right herein proposed to be transferred was granted to applicant Bayles by the Railroad Commission in its Decision No. 15321, dated August 18, 1925, and issued on Application No. 10585, which decision declared that public convenience and necessity required the operation by Murray D. Bayles of an

*** automotive stage line for the transportation of passengers and express matter between Los Angeles and Wheeler's Hot Springs and intermediate points, provided, however, that public convenience and necessity do not require the operation by said applicant of automotive passenger and express service either by the operation of local stages or upon through stages, between Los Angeles, Ojai and intermediate points, inclusive, except such passengers or express packages that are picked up or discharged in said territory when originating at or destined to points north of Ojai to and including Wheeler's Hot Springs.

It was provided further, in Decision No.14481, also issued on Application No.10585, that no express package weighing in excess of 100 pounds should be transported. By Decision No.15729, dated December 7, 1925, and issued as a supplemental order on Application No.10585, Bayles was authorized to discontinue the year round service authorized in Decision No.15321 and to substitute therefor a service to be operated between May 1st and November 1st of each year.

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 Murray D. Bayles 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 Eugenie Gatjens shall immediately file, in duplicate, in her own name, tariff of rates and time schedules covering service heretofore given by Murray D. Bayles, which rates and time schedules shall be identical with the rates and time schedules now on file with the Railroad Commission in the name of Murray D. Bayles, or rates and 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 Eugenie Gatjens 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 25th day of June, 1926.

H. B. Brundage
Chairman
Eugenie Gatjens