

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
C. E. SMITH to sell, and JOE MATTOS )  
to purchase an automobile passenger ) Application No. 13018  
and freight line operated between )  
Truckee and Sierraville, California. )

BY THE COMMISSION -

OPINION and ORDER

C. E. Smith has petitioned the Railroad Commission for an order approving the sale and transfer by him to Joe Mattos of an operating right for an automobile service for the transportation of passengers and freight between Truckee and Sierraville, via Hobart Mills, Tahoe City and Campbell's Hot Springs, and Joe Mattos has applied for authority to purchase and acquire said operating right and hereafter operate thereunder, the sale and transfer to be in accordance with an agreement of sale 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 \$650, all of which sum is said to be the value of the operating right.

The operating right herein proposed to be transferred was originally established, as shown by tariffs on file with the Railroad Commission by James T. Laity. On his death the right passed to his widow, Julia Laity, and she, as Administratrix of his estate, sold and transferred the right to C.E. Smith. The transfer to Smith was approved by the Commission in its Decision No. 9944, dated December 29, 1921, and issued on Application No. 7427.

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 Smith 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 Mattos shall immediately file, in duplicate, in his own name, tariff of rates and time schedules covering service heretofore given by applicant Smith, 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 applicant Smith, 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 Mattos 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 27<sup>th</sup> day of July,  
1926.

H. B. Anderson  
Q. L. Smith  
Frank W. Smith  
John E. Smith

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COMMISSIONERS.