

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application
of BERT MYERS to sell and J. W. LEMEN
to purchase an automobile passenger
and freight line operated between
Paso Robles and Annette, California.

ORIGINAL

Application No. 13085.

BY THE COMMISSION -

OPINION AND ORDER

Bert Myers has petitioned the Railroad Commission for an order approving the sale and transfer by him to J. W. Lemen of an operating right for an automobile service for the transportation of passengers and property between Paso Robles and Annette, and J. W. Lemen 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 \$1000, of which sum \$250 is said to represent the value of the operating right.

The operating right herein proposed to be transferred was acquired by applicant Myers, by purchase, from John L. Joslin, the Railroad Commission approving the transfer in its Decision No. 12879, dated November 28, 1923, and issued on Application No. 9542.

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 Bert Myers 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 J. W. Lemen shall immediately file, in duplicate, in his own name, tariff of rates and time schedules covering service heretofore given by Bert Myers, 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 Bert Myers, 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 J. W. Lemen 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 18th day
of August, 1926.

W. B. Anderson
C. C. Seay
Leon J. Russell
Thos. J. Dwyer

COMMISSIONERS.