

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
A. J. MASON to sell, W. E. SPOON to)
purchase an undivided one-half interest) Application
in and to the operative rights in an auto-) No.13090
mobile passenger line operated between)
Monterey and Pacific Grove, California.)

BY THE COMMISSION -

OPINION and ORDER

A. J. Mason has petitioned the Railroad Commission for an order approving the sale and transfer by him to W. E. Spoon of a one-half interest in an operating right for an automobile service for the transportation of passengers between Monterey and Pacific Grove, and W. E. Spoon has applied for authority to purchase and acquire said one-half interest and, with A. J. Mason as a partner, to hereafter operate the service heretofore given by A. J. Mason as an individual, 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 \$5000, all of which amount is named as the value of the one-half interest in the operating right.

The operating right, a one-half interest in which is herein proposed to be transferred, was originally granted by the Railroad Commission to a partnership consisting of A.J.Mason and H.N. White. (Decisions No.10045 and 10091, dated respectively February 2, 1922, and February 15, 1922, and issued on Application No.5776). On June 8, 1922, as shown by the Commission's Decision No.10562, issued on Application No.7920, Mason purchased the interest of his partner, White. In Decision No.12649, dated September 24, 1923, and issued on Application No.9085, Mason

was authorized to abandon service between the termini of Alvarado and Pearl Streets and 7th Street and County Road, Monterey. All the operations conducted under the operating right involved herein have been conducted under the fictitious name of Bay Rapid Transit Company, and the partnership of Mason & Spoon proposes to continue the use of this name.

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 Mason 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- Applicants Mason and Spoon, co-partners, shall immediately file, in duplicate, in their own names, tariff of rates and time schedules covering service heretofore given by applicant Mason, 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 Mason, 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 applicants Spoon and Mason unless such vehicle is owned by said applicants or is leased under a contract or agreement on a basis satisfactory to the Railroad Commission.

Dated at San Francisco, California, this 10th day of September, 1926.

H. B. ...
C. ...
Thos. B. ...
 COMMISSIONERS.