

Decision No. 17674

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
C. W. TURNEY to sell, and WESLEY PERRY )  
to purchase an auto truck freight line ) Application No. 13321  
between Los Angeles and Montebello and )  
Whittier, California. )

**ORIGINAL**

BY THE COMMISSION -

OPINION and ORDER

C.W. Turney has petitioned the Railroad Commission for an order authorizing the sale and transfer by him to Wesley Perry of an operating right for an automobile service for the transportation of property between Los Angeles and Montebello and Whittier, and Wesley Perry has asked 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 \$3,031.36. Of this sum \$531.36 is named as the value of certain equipment involved in the transaction. The balance, \$2500, is declared by applicants to be the value of intangibles.

The operating right herein proposed to be transferred was granted to C.W. Turney by the Railroad Commission in its Decision No. 13418, dated April 15, 1924, and issued on Application No. 9654. It authorizes the operation of an automobile service for the transportation, as a common carrier, of auto accessories and parts

\*\*\*\*between Los Angeles, Montebello and Whittier but not between points intermediate over and along the following route:

'from Los Angeles, via Whittier Boulevard to Montebello and Whittier'.

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 C.W.Turney 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 Wesley Perry shall immediately file, in duplicate in his own name tariff of rates and time schedules covering service heretofore given by applicant Turney, 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 Turney, 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 Perry unless such vehicle is owned by said applicant, or is leased by him under a contract or agreement on a basis satisfactory to the Railroad Commission.

6- This order shall not become effective until there shall have been paid to the Railroad Commission the fee required by the Public Utilities Act and the Auto Stage and Truck Transportation Act to be paid on all evidences of indebtedness extending over a period of one year, in this instance the minimum fee of \$25.00.

Dated at San Francisco, California, this 27<sup>th</sup> day of November, 1926.

*Fee \$25.00*  
RAILROAD COMMISSION  
STATE OF CALIFORNIA  
DEC 8 1926  
*[Signature]*  
Fee # 22605

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COMMISSIONERS.