

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
WAYNE ETTER to sell, and HENRIETTA P. CONNER)
to purchase an automobile passenger and) Application
freight line operated between Lewiston and) No. 13339
Minersville in Trinity County, California.)

BY THE COMMISSION -

OPINION and ORDER

ORIGINAL

Wayne Etter has petitioned the Railroad Commission for an order authorizing him to sell and transfer to Henrietta P. Conner an operating right for an automobile service for the transportation of passengers and freight between Lewiston and Minersville, and Henrietta P. Conner asks for authority to purchase and acquire said operating right and to hereafter operate thereunder, the sale and transfer to be in accordance with a document 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 the nominal sum of \$1. No equipment is involved.

The operating right herein proposed to be transferred was originally established by John B. Connor through operation prior to May 1, 1917, and the proper filing of tariffs and time schedules with the Railroad Commission. On March 6, 1923, Connor, as shown by Decision No. 11752 of the Railroad Commission issued on Application No. 8750, transferred his operating right to W. J. Leavitt. Wayne Etter, applicant herein, purchased the operating right from Leavitt, the Commission approving the transfer in its Decision No. 12119, dated May 19, 1923, and issued on Application No. 9027.

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 Wayne Etter 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 Henrietta P. Conner shall immediately file, in duplicate, in her own name, tariff of rates and time schedules covering service heretofore given by applicant Etter, 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 Etter, 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 Conner unless such vehicle is owned by said applicant, or is leased by her under a contract or agreement on a basis satisfactory to the Railroad Commission.

Dated at San Francisco, California, this 3^d day of December

1926.

W. B. ...
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Leon ...
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COMMISSIONERS.