

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
C. E. TRUEBLOOD for an order granting
permission to sell and transfer, and
CARL B. TRUEBLOOD to purchase a one-half
interest in auto truck line including
equipment and good will of the business.

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) Application
) No. 13156
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ORIGINAL

BY THE COMMISSION -

OPINION and ORDER

Carl B. Trueblood has petitioned the Railroad Commission for authority to purchase and acquire from C. E. Trueblood, his brother and partner, the latter's one-half interest in the operating right under which the brothers, under the fictitious name of Independent Truck Company, have been conducting an automobile service for the transportation of freight between Los Angeles and Whittier, and C.E.Trueblood has asked for authority to sell said one-half interest, the sale and transfer to be in accordance with an agreement attached to the application herein and made a part thereof. Carl B. Trueblood as sole owner, proposes to continue to operate the trucking service as established by the partnership. A. G. Gruber is also a party to the application, asking for authority to transfer to the Truebloods a one-quarter interest in the operating right, which interest was acquired by him at the time of the establishment of the service. Gruber retired from the firm in July 1918, selling his interest to the Truebloods for the sum of \$300. The sale and transfer was made without the knowledge of the Railroad Commission and as a result Gruber in the records of the Commission still appears as a member of the partnership. He joins in the instant proceeding in order to clear the record and to establish full ownership of the operating right herein involved in the Truebloods.

The consideration to be paid for the property herein proposed to be transferred is given as \$4000. Of this sum \$500 is declared by applicants to be the value of the intangibles.

The operating right herein involved was established by the Truebloods and C. E. Gruber, co-partners, through operation prior to May 1, 1917, continuous operation since that date and the filing of tariffs in accordance with the requirements of the Railroad Commission. The tariff filed by the partnership on March 1, 1917, and bearing the notation "C.R.C. No. 1" shows service between Whittier and Los Angeles.

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 Carl B. Trueblood, for the partnership of Carl B. Trueblood and C. E. Trueblood and A. G. Gruber 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 Carl B. Trueblood shall immediately file, in duplicate, in his own name, tariff of rates and time schedules covering service heretofore given by applicants Trueblood, Trueblood and Gruber, 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 applicants Trueblood and Trueblood, 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.

Dated at San Francisco, California, this 13th day of December, 1926

[Handwritten signatures and initials over several lines]