

Decision No. 17871

ORIGINAL

## BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
 F. F. BALZER to sell, and MARR )  
 FREIGHT TRANSIT, Inc., to purchase ) Application  
 automobile freight line operated ) No. 13444  
 between Los Angeles and Los Angeles )  
 Harbor District (Wilmington and San )  
 Pedro.) )

BY THE COMMISSION -

OPINION and ORDER

F. F. Balzer, operating under the fictitious name and style of Diamond Transport and Storage Company, has petitioned the Railroad Commission for an order approving the sale and transfer by him to Marr Freight Transit, Inc., of an operating right for an automobile service for the transportation of property between Los Angeles and Los Angeles harbor district, and Marr Freight Transit, Inc., has petitioned 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 \$3600, all of which sum is declared by applicants to be the value of certain equipment.

The operating right herein proposed to be transferred was granted to F.F. Balzer by the Railroad Commission in its Decision No. 14404, dated December 27, 1924, and issued on Application No. 9569. By this decision Balzer is authorized to operate "an automotive truck service as a common carrier of property for compensation between the city of Los Angeles proper and steamship wharves and docks located at Los Angeles harbor, namely, Wilmington and San Pedro."

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 F. F. Balzer 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 Marr Freight Transit Inc., shall immediately file, in duplicate, in its own name, tariff of rates and time schedules covering service heretofore given by applicant Balzer, 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 Balzer (Diamond Transport and Storage Company), 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 Marr Freight Transit, Inc., unless such vehicle is owned by said applicant, or is leased by it under a contract or agreement on a basis satisfactory to the Railroad Commission.

Dated at San Francisco, California, this 12<sup>th</sup> day of  
January, 1927.

Emmett  
H. B. ...  
C. ...  
Leon Whitell  
Thos. ...

COMMISSIONERS.