

ORIGINALDecision No. 18004

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
 E. J. MOOMEY to sell, and JOAQUIN LOPEZ
 to purchase an automobile (passenger or
 freight line) operated between Nevada
 City and Washington, Nevada County,
 California.)
) Application No. 13525
)
)

BY THE COMMISSION -

OPINION and ORDER

E. J. Moomey has petitioned the Railroad Commission for an order approving the sale and transfer by him to Joaquin Lopez of an operating right for an automobile service for the transportation of passengers and express between Nevada City and Washington, and Joaquin Lopez has applied for authority to purchase and acquire said operating right and to hereafter operate thereunder, the sale and transfer to be in accordance with 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 \$650, all of which sum is said to be the value of the equipment involved. No value is claimed for intangibles.

The operating right herein proposed to be transferred was originally granted by the Railroad Commission to Alphonse Schwartz. In its Decision No. 5301, dated September 26, 1918, and issued on Application No. 4057, the Commission authorized Schwartz to operate as a common carrier an auto service for the transportation of passengers and express between Nevada City and Washington. E. J. Moomey, one of the applicants herein, purchased the line from Schwartz on September 2, 1922, the Commission approving the transfer of the operating right in its Decision No. 10937, issued on Application No. 8186.

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.

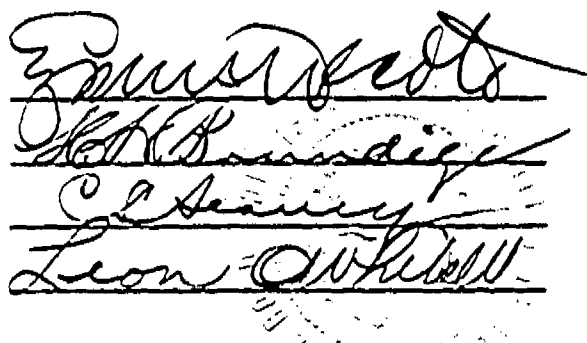
2- Applicant E. J. Moomey shall immediately unite with applicant Joaquin Lopez in common supplement to the tariffs on file with the Commission, applicant Moomey on the one hand withdrawing, and applicant Lopez on the other hand accepting and establishing such tariffs and all effective supplements thereto.

3- Applicant E. J. Moomey shall immediately withdraw time schedules filed in his name with the Railroad Commission and applicant Joaquin Lopez shall immediately file, in duplicate, in his own name, time schedules covering service heretofore given by applicant Moomey, which time schedules shall be identical with the time schedules now on file with the Railroad Commission in the name of applicant Moomey, or time schedules satisfactory 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 Lopez unless such vehicle is owned by said applicant, or is leased under a contract or agreement on a basis satisfactory to the Railroad Commission.

Dated at San Francisco, California, this 14th day of February, 1927.



COMMISSIONERS.