

ORIGINAL

Decision No. 18099

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
 V. C. GORST and H. N. RICHARDS to
 sell and E. W. LOWELL to buy the
 interests of V. C. GORST and
 H. N. RICHARDS in the co-partnership
 consisting of V. C. GORST, H. N. RICHARDS,
 and E. W. LOWELL, doing business under
 the fictitious name and style of
 VALLEJO BUS COMPANY.

)
)
)
)
) Application
) No. 13588
)
)
)

BY THE COMMISSION -

OPINION and ORDER

V. C. Gorst, H. N. Richards and E. W. Lowell, co-partners, doing business under the fictitious name and style of Vallejo Bus Company, have petitioned the Railroad Commission for an order approving the transfer by Gorst and Richards to Lowell of their interests in an operating right for an automobile service for the transportation of passengers between Vallejo and Bay Terrace and Vallejo and Vallejo Annex, and Lowell has applied for authority to take over the interests of his partners and to hereafter operate, as an individual, under the fictitious name of Vallejo Bus Company, the automobile service now being given by the partnership.

The consideration to be paid for the property herein proposed to be transferred is given as \$3000 cash, and the transfer by Lowell to Gorst and Richards of 3169 shares of the capital stock of the Motor Coach Company. The purchase price is claimed by applicants to represent the value of intangibles and certain equipment named in an inventory attached to the application herein.

The operating right herein proposed to be transferred was granted to H. N. Richards, V. C. Gorst and H. W. Lowell by the Railroad Commission in its Decision No.6611, dated August 29, 1919, and issued on Application No.4834. Said decision authorizes an automobile service for the transportation of passengers as a common carrier between Vallejo and Bay Terrace and between Vallejo and Vallejo Annex. On April 21, 1920, (Decision No.7465, on Application No.5428) the partnership was authorized to operate between Vallejo and South Vallejo and Morrow Cove. This right, however, was subsequently revoked by the Commission in its Decision No.8182, dated October 1, 1920, and issued on Application No.6098.

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- Applicants Gorst, Richards and Lowell, a partnership, shall immediately unite with applicant H. W. Lowell in common supplement to the tariffs on file with the Commission, applicants Gorst, Richards and Lowell, as a partnership, on the one hand withdrawing, and applicant H. W. Lowell on the other hand accepting and establishing such tariffs and all effective supplements thereto.

3- Applicants Gorst, Richards and Lowell shall immediately withdraw time schedules filed in their names with the Railroad Commission, and applicant H. W. Lowell shall immediately file, in duplicate, in his own name, time schedules covering service heretofore given by applicant Gorst, Richards & Lowell, which time schedules shall be identical with the time schedules now on file with the Railroad Commission in the name of applicants Gorst, Richards & Lowell; 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 H. W. Lowell 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.

Dated at San Francisco, California, this 21st day of
March, 1927.

Ernest
H. B. Prandiger
C. Seaver
Leon A. Hall
Thos. S. Houtt
COMMISSIONERS.