

Decision No. 18213

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 LESLIE HARDIE to sell, and J.W. LEMEN)
 to purchase an automobile passenger) Application No.13645
 and freight line operated between)
 Paso Robles and Klam, California.)

BY THE COMMISSION -

OPINION and ORDER

Leslie Hardie has petitioned the Railroad Commission for an order approving the sale and transfer by him to J. W. Lemen of an operating right for an automobile service for the transportation of passengers and freight between Paso Robles and Klam and intermediate points, and J. W. Lemen 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 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 \$700, of which sum, applicants declare, \$600 represents the value of certain equipment and \$100 the value of intangibles.

The operating right herein proposed to be transferred was originally established by T. M. Littlefield through operation prior to May 1, 1917, and the filing of tariffs and time schedules showing operation of automobile service for the transportation of passengers and freight between Paso Robles and Klam and the following intermediate points:

Smith, Tidrow, Zabriskie, Fair Oaks, Blakes, Bell's Ranch, Whites and Adelaide. In Decision No.10737, dated July 20,1922, and issued on Application No.8064 the Railroad Commission approved the transfer of the operating right from T.M.Littlefield to F.E. Hoyt. On March 1,1923, Hoyt with the approval of the Commission,

as shown in its Decision No.11738, issued on Application No.8717, transferred the right to Bert Meyers, and on January 9, 1924, (see Decision No.13001 issued on Application No.9591),Meyers transferred the operating right to Leslie M. Hardie, one of the applicants herein.

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- No authority is herein conveyed authorizing applicant Lemen to link up or join operating right herein authorized to be transferred with the operating right now owned by him authorizing service between Paso Robles and Annette.

2- 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.

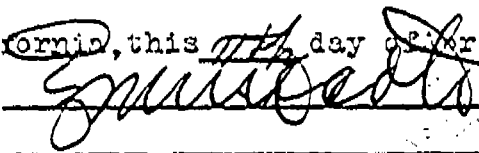
3- Applicant Leslie Hardie shall immediately unite with applicant J. W. Lemen in common supplement to the tariffs on file with the Commission, applicant Hardie on the one hand withdrawing, and applicant J.W.Lemen on the other hand accepting and establishing such tariffs and all effective supplements thereto.

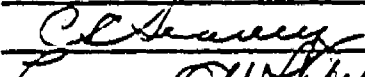
4- Applicant Leslie Hardie shall immediately withdraw time schedules filed in his name with the Railroad Commission and applicant J. W. Lemen shall immediately file, in duplicate, in his own name, time schedules covering service heretofore given by applicant Hardie, which time schedules shall be identical with the time schedules now on file with the Railroad Commission in the name of applicant Hardie or time schedules satisfactory to the Railroad Commission.

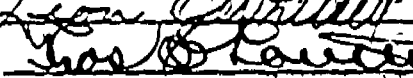
5- The rights and privileges herein authorized may not be sold, leased, transferred nor assigned, nor service thereunder discontinued, unless the written consent of the Railroad Commission to such sale, lease, transfer, assignment or discontinuance has first been secured.

6- No vehicle may be operated by applicant Lemen 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 17th day of April, 1927.







COMMISSIONERS.