

ORIGINAL

Decision No. 14232

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
RAYMOND H. PENHALL to sell, and)
R. E. ROBSON to purchase an automobile)
freight line operated between Cudahy,)
Workman, County Farms and Los Angeles,)
California.)

Application No.13738

BY THE COMMISSION -

OPINION and ORDER

Raymond H. Penhall has petitioned the Railroad Commission for an order approving the sale and transfer by him to R.E.Robson of an operating right for the transportation of property between dairies in the vicinity of Cudahy and creameries in Los Angeles, and R. E. Robson 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 of sale 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 \$5250, of which sum \$4500 is said to represent the value of equipment and the balance, \$750, the value of intangibles.

The operating right herein proposed to be transferred was originally granted by the Railroad Commission to Marengo Brothers. In Decision No.15413, dated September 19, 1925, Peter and Mario Marengo, brothers and co-partners, were authorized to operate a trucking service -

***** for the transportation of milk and dairy supplies between dairy ranches located in the vicinity of Cudahy, Workman and County Farm, and on College Avenue and Stewart and Gray Roads and vicinity, west of Downey, and Los Angeles and intermediate points over and along the following route:

From Los Angeles via Long Beach Boulevard to Tweedy Road; east on Tweedy Road to Cudahy; south on Cudahy Avenue to Workman; southeast on Workman Road to County Farm; north on College Avenue to Stewart and Gray Road near Downey; west on Stewart and Gray Road to Cudahy; thence west on Tweedy Boulevard to Long Beach Boulevard and north to Los Angeles. Dairy ranches served are located within one (1) mile of main roads traveled, except that no milk is picked up EAST of College Avenue, north of Curtain Road; and

With the approval of the Commission, as shown by Decision No.17673, dated November 29, 1926, and issued on Application No.13311, Marengo Brothers transferred the above described right to Raymond Penhall.

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 Raymond H. Penhall shall immediately unite with applicant R. E. Robson in common supplement to the tariffs on file with the Commission, applicant Raymond H. Penhall on the one hand withdrawing, and applicant R.E.Robson on the other hand accepting and establishing such tariffs and all effective supplements thereto.

3- Applicant Raymond H. Penhall shall immediately withdraw time schedules filed in his name with the Railroad Commission, and applicant R.E.Robson shall immediately file, in duplicate, in his own name, time schedules covering service heretofore given by applicant Raymond H. Penhall, which time schedules shall be identical with the time schedules now on file with the Railroad Commission in the name of applicant Raymond H. Penhall, 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 R.E. Robson 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.

6- The order herein is not to be construed as authority for R.E. Robson to link up or join the operating right transferred by said order with operating rights now owned by him.

Dated at San Francisco, California, this 6th day of
May, 1927.

Emmett
H. B. ...
A. ...
Leon ...
Thos. ...
COMMISSIONERS.