Decision No. 18352



BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of JOE BESONE, an individual doing business under the name and style of Besone's Motor Express, to sell and transfer, and Emil Bonenso and Frank Caudana, co-partners, to buy certificate of public convenience and necessity to operate automobile truck line between Bakersfield and Taft, Maricopa and Mc Kittrick and intermediate points.

Application No.13747

BY THE COMMISSION

## OPINION and ORDER

Joe Besone, has petitioned the Railroad Commission for an order approving the sale and transfer by him to Emil Bonenso and Frank Caudana, co-partners, of operating rights for an automobile service for the transportation of property between Bakersfield and Taft, Maricops and Mc Kittrick and intermediate points, and Emil Bonenso and Frank Caudana, co-partners, have applied for authority to purchase and acquire said operating rights and to hereafter operate thereunder, the sale and transfer to be in accordance with a verbal agreement, the terms of which are set forth in Paragraph II of the application herein.

The consideration to be paid for the property herein proposed to be transferred is given as \$12,400 of which sum \$6000 is said to represent the value of intangibles, the balance, \$6400, representing the value of certain equipment.

The operating rights herein proposed to be transferred were granted to Joe Besone on Applications No.3843, 5395 and 8241. The orders of the Railroad Commission on the above listed applications authorized Besone to operate as follows:

155

Application No.3843 (Decision No.5602, dated July 26, 1918) - Express and freight service between Bakersfield, Taft, Fellows and intermediate points.

Application No.5395 (Decision No.7784, dated June 24, 1920) - Freight service between Fellows and Mc Kittrick and intermediate points and Taft and Maricopa and intermediate points as an extension of service authorized by Decision No.5602.

Application No.8241 (Decision No.11237, dated November 14, 1922) - Local and through service for the transportation of freight between Bakersfield, Taft, Fellows and Maricopa and between Bakersfield, Taft, Fellows and Mc Kittrick.

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 Joe Besone shall immediately unite with applicants Emil Bonenso and Frank Caudana, co-partners, in common supplement to the tariffs on file with the Commission, applicant Besone on the one hand withdrawing, and applicants Bonenso and Caudana on the other hand accepting and establishing such tariffs and all effective supplements thereto.

3- Applicant Joe Besone shall immediately withdraw time schedules filed in his name with the Railroad Commission and applicants Bonenso and Caudana shall immediately file, in duplicate, in their own hames, time schedules covering service heretofore given by applicant Besone, which time schedules shall be identical with the time schedules now on file with the Railroad Commission in the name of applicant Besone or time schedules satisfactory to the Railroad Commission.

4- The rights and privileges herein authorized may hot 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 applicants Bonenso & Caudana unless such vehicle is owned by said applicants or is leased by them under a contract or agreement on a basis satisfactory to the Railroad Commission.

Dated at San Francisco. California, this 194 day of May, 1927.

-3-