

Decision No. 18462.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 CLYDE HOOPER to sell, and S.M. THOMAS)
 to purchase the undivided one-half)
 right, title and interest in an auto-)
 mobile freight line operating between) Application
 Healdsburg and Santa Rosa, California,) No. 13822
 under a co-partnership consisting of)
 S.M. Thomas and Clyde Hooper and under)
 the fictitious name of HEALDSBURG-)
 SANTA ROSA AUTO FREIGHT LINE.)

ORIGINAL

BY THE COMMISSION-

OPINION and ORDER

Clyde Hooper and S. M. Thomas, co-partners, in a joint petition to the Railroad Commission, have asked for an order of the Commission authorizing applicant Hooper to sell and transfer to applicant Thomas his undivided one-half interest in an operating right for an automobile service for the transportation of freight between Healdsburg and Santa Rosa, and applicant Thomas has applied for authority to purchase and acquire said one-half interest in said operating right and to hereafter operate said automobile trucking service as sole owner, 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 \$4500, all of which sum, applicants declare, is the value of a one-half interest in certain equipment, no value being claimed for intangibles.

The operating right, a one-half interest in which is herein proposed to be transferred was originally granted to Phil Dicks by Decision No. 7197, on Application No. 3625, dated March 2nd, 1920, which decision found that Dicks had, through operation prior to May 1st, 1917, and continuously thereafter

and through the filing of tariffs, established the right to operate an automobile freight service between Healdsburg and Santa Rosa, no service to any intermediate points being established. The operative right obtained by Dicks under Decision No. 7197 was transferred to a co-partnership including Dicks, J. P. Hildreth and G. H. Skillicore by Decision No. 7432, on Application No. 5541, dated April 15, 1920. The three co-partners named in said last numbered decision transferred the operative right to applicants Thomas and Hooper, a co-partnership, the Commission authorizing the transfer in its Decision No. 10510, dated May 26, 1922, and issued on Application No. 7872. In accepting the operating right Thomas and Hooper, co-partners, did so as indicated by their written acceptance, with the understanding that the right carried no authority to serve points intermediate between Santa Rosa and Healdsburg.

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 Clyde Hooper and S. M. Thomas, co-partners, shall immediately unite with applicant S. M. Thomas in common supplement to the tariffs on file with the Commission, applicants Hooper and Thomas on the one hand withdrawing, and applicant Thomas on the other hand accepting and establishing such tariffs and all effective supplements thereto.

3- Applicants Hooper and Thomas, co-partners, shall immediately withdraw time schedules filed in their names with the Railroad Commission and applicant Thomas shall immediately file, in duplicate, in his own name, time schedules covering service heretofore given by applicants Hooper and Thomas, which time schedules shall be identical with the time schedules now on file with the Railroad Commission in the name of applicants Hooper & Thomas, 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 Thomas 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 3^d day of
June, 1927.

Edmund Croft

H. B. Brundige

C. Seaney

COMMISSIONERS.