

Decision No. 18463

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
T. B. WILSON to sell, and SOUTHERN)
PACIFIC MOTOR TRANSPORT COMPANY to) Application
buy the BOULDER CREEK STAGE LINE,) No.13829
operating between Santa Cruz and)
Boulder Creek, California.)

ORIGINAL

BY THE COMMISSION-

OPINION and ORDER

T. B. Wilson has petitioned the Railroad Commission for an order approving the sale and transfer by him to Southern Pacific Motor Transport Company, a corporation, of an operating right for an automobile service for the transportation of passengers and property between Santa Cruz and Boulder Creek and intermediate points, and Southern Pacific Transport Company, a corporation, 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 \$3000, of which sum, applicants declare, \$1500 represents the value of equipment and \$1500 the value of intangibles.

The operating right herein proposed to be transferred, in part, was established by James A. Harvey, through operation prior to May 1, 1917, His widow, Amy G. Harvey, inherited his estate, as is shown by Decision No.15907 of the Railroad Commission, which decision is dated January 26, 1926, and was issued on Application No.12462. On May 25, 1927, Amy G. Harvey transferred the operating right to T. B. Wilson, the Commission approving the transfer in its Decision No.18390, issued on Application No.13786.

The original Harvey right, while it covered service to certain intermediate points did not show service to Felton Station, Big Trees and Rincon, points intermediate between Santa Cruz and Boulder Creek, and applicant Wilson applied for authority to serve these points. He was granted such authority by the Railroad Commission in its Decision No. 18390, dated May 25, 1927, and issued on Application No. 13786, the order providing that the service was to be performed as a part of and in conjunction with the existing service between Santa Cruz and Boulder Creek. The right to serve Rincon, Big Trees and Felton Station, provides for the transportation of passengers and baggage only. The Harvey right, so-called, authorized the transportation of passengers and freight.

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 E. B. Wilson shall immediately unite with applicant Southern Pacific Motor Transport Company in common supplement to the tariffs on file with the Commission, applicant Wilson on the one hand withdrawing, and applicant Southern Pacific Motor Transport Company on the other hand accepting and establishing such tariffs and all effective supplements thereto.

3- Applicant Wilson shall immediately withdraw time schedules filed in his name with the Railroad Commission, and applicant Southern Pacific Motor Transport Company shall immediately file, in duplicate, in its own name, time schedules covering service heretofore given by applicant Wilson which time schedules shall be identical with the time schedules now on file with the Railroad Commission in the name of applicant Wilson, 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 Southern Pacific Motor Transport Company unless such vehicle is owned by said applicant or is leased by it 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.

E. J. [Signature]

H. P. [Signature]

C. [Signature]

COMMISSIONERS.