

Decision No. 18521

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of Hubert A. Adams to sell, and San Diego Electric Railway Company, a corporation, to purchase, the operative right and equipment of Lloyd's El Cajon Stage Line operating between San Diego and El Cajon, California.

Application No. 13852

ORIGINAL

BY THE COMMISSION:

OPINION AND ORDER.

Hubert A. Adams has applied to the Railroad Commission for an order authorizing the sale and transfer by him to San Diego Electric Railway Company, a corporation, of an operating right for an automobile service for the transportation of passengers and baggage between San Diego and El Cajon and certain intermediate points, and San Diego Electric Railway 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 the sum of \$25,000 which sum is said to represent the value of certain equipment and intangibles.

The operating right herein proposed to be transferred was established by J. S. Lloyd through operation in good faith prior to May 1, 1917. In Decision No. 9762, dated November 17, 1921, and issued on Application No. 7328, the Railroad Commission approved the transfer of the operating right to Hubert A. Adams, one of the applicants herein. In Decision No. 11473, dated January 8, 1923, and issued on Application No. 8528, the Commission authorized Adams to publish a revised tariff showing service to Grossmont, a point intermediate between San Diego and El Cajon, but which was not shown as an intermediate in the original Lloyd tariff.

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 Hubert A. Adams shall immediately unite with applicant San Diego Electric Railway Company, a corporation, in common supplement to the tariffs on file with the Commission, applicant Adams on the one hand withdrawing, and applicant San Diego Electric Railway Company on the other hand accepting and establishing such tariffs and all effective supplements thereto.

3. Applicant Adams shall immediately withdraw time schedules filed in his name with the Railroad Commission and applicant San Diego Electric Railway Company shall immediately file, in duplicate, in its own name, time schedules covering service heretofore given by applicant Adams, which time schedules shall be identical with the time schedules now on file with the Railroad Commission in the name of applicant Adams 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 San Diego Electric Railway 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 15th day of June, 1927.

James L. ...
H. B. ...
C. ...
Leon ...
Thos. S. ...
Commissioner.