

ORIGINAL

Decision No. 18599

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
J. O. JONES and D. H. JONES to sell, )  
and Fred A. Rupley to purchase an ) Application  
automobile passenger and express line ) No. 13874  
operating between Emigrant Gap and )  
Foley's Camp, California. )

BY THE COMMISSION -

OPINION and ORDER

J. O. Jones and D. H. Jones have petitioned the Railroad Commission for an order authorizing J. O. Jones and D. H. Jones to sell and transfer to Fred A. Rupley their interests in an operating right for an automobile service for the transportation of persons and property between Emigrant Gap and Foley's Camp, and Fred A. Rupley, who now owns a one-third interest in said operating right, has asked for authority to purchase and acquire the interests of his partners and to hereafter operate said 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 \$1300, of which sum \$800 is said to represent the value of equipment and \$500 is declared by applicants to be the value of intangibles.

The operating right herein proposed to be transferred was originally granted to a partnership consisting of T.J. Torpie and A. Skeahan who were authorized by the Railroad Commission, (See Decision No. 16255, dated March 19, 1926, and issued on Application No. 12599) to operate an automobile service for the

"transportation of passengers and baggage between Emigrant Gap and Foley's Camp and the intermediate points of Bowman's Dam and Fall Creek and certain construction camps, the sites for which are to be selected shortly, said operation to be contingent upon road and weather conditions."

On June 25, 1926, (See Decision No.17001 on Application No.12968) Torpie and Skeahan were authorized by the Railroad Commission to transfer the operating right granted by Decision No.16255 to the partnership of Jones, Jones & Rupley. The new owners were authorized in Decision No.17001 to transport express in connection with and as part of the passenger and baggage service, the express being limited to packages weighing not more than 150 pounds each.

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 Jones, Jones and Rupley shall immediately unite with applicant Fred A. Rupley in common supplement to the tariffs on file with the Commission, applicants Jones, Jones and Rupley on the one hand withdrawing, and applicant Fred A. Rupley on the other hand accepting and establishing such tariffs and all effective supplements thereto.

3- Applicants Jones, Jones and Rupley shall immediately withdraw time schedules filed in their names with the Railroad Commission, and applicant Rupley shall immediately file, in duplicate, in his own name time schedules covering service heretofore given by applicants Jones, Jones & Rupley, which time schedules shall be identical with the time schedules now on file with the Railroad Commission in the name of applicants Jones, Jones & Rupley 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 Rupley 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 8th day of

July, 1927.

Frank J. ...

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Thos J. ...  
COMMISSIONERS.