

Decision No. 19016

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Joint Application of
 MOTOR TRANSIT COMPANY, as lessor, and
 J. O. MAUPIN, as lessee, for an order
 authorizing the leasing by the former and
 the exercise by the latter, as lessee, of
 certain automobile stage line operating
 rights of said lessor for the transportation
 of persons, their baggage and express, between
 (1) Pomona and San Dimas and (2) between Pomona
 and Chino.

) Application
) No. 14165

ORIGINAL

BY THE COMMISSION -

OPINION and ORDER

This is an application by Motor Transit Company, a corporation, and J. O. Maupin to enter into lease under the terms of which Motor Transit Company agrees to lease to J. O. Maupin, and the latter agrees to hire and operate thereunder certain operating rights for an automotive service for the transportation of passengers, baggage and express between Pomona, La Verne and San Dimas and between Pomona and Chino.

The rental for the use of said operating rights provided for in said lease is the nominal sum of Ten (\$10) Dollars per year.

Approval of the proposed leasing arrangement will not in any manner change the rates or charges now collected by Motor Transit Company, nor alter its rules and regulations, the lease providing that lessee Maupin shall operate in accordance with the tariffs now on file with the Railroad Commission in the name of Motor Transit Company. Time schedules are to be adjusted so that the lines operated under lease shall make adequate connections with the schedules of Motor Transit Company. The lease also provides for the use by Maupin of such Motor Transit Company equipment as may be necessary to meet traffic demands.

Operation under the leasing arrangement, according to applicants, should result in better and more adequate service for the territory served under the leased lines, the service being of such a local nature that it will benefit the traveling public to have it operated under practically local management. Maupin is an experienced operator of busses.

Following is a description of the operating rights herein proposed to be leased by Motor Transit Company to J.O.Maupin:

(a) That certain right to operate an automobile stage line for the transportation of passengers between Pomona, Laverne and San Dimas, formerly granted by the Railroad Commission of the State of California to City Transit Lines, Inc., a Corporation, and by that Corporation, with approval of said Railroad Commission, transferred and sold to Motor Transit Company on March 19, 1926, under authority of Decision No.16257, made on Application No.12607, by said Railroad Commission.

(b) Those certain operating rights owned and now exercised by Motor Transit Company for the transportation of passengers between Pomona and Chino, being the operating rights for such transportation granted, validated and defined by said Railroad Commission in its Decision No.13454, made on Application No.8454.

(c) Those certain operating rights for the transportation of baggage and express between Pomona, La Verne and San Dimas, and between Pomona and Chino granted to Motor Transit Company by said Railroad Commission in its Decision No.18749 on Application No.11502.

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- That the order herein shall not be considered as prejudicial to the findings and order of the Commission in Application No.13690, which is an application by Motor Transit Company for an order of the Railroad Commission to remove all operating restrictions on its various divisions and to operate said divisions as a unified service.

2- That the order herein shall not be construed as authority for applicant Maupin to link up or join the operating rights herein authorized to be leased, no authority being herein conveyed for through service between San Dimas and Chino, or to in any way alter the existing service, except as to such time schedules as may be necessary.

3- The consideration to be paid for the property herein authorized to be leased 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.

4- Applicant Motor Transit Company shall immediately unite with applicant J. O. Maupin in common supplement to the tariffs on file with the Commission, applicant Motor Transit Company on the one hand withdrawing, and applicant Maupin on the other hand accepting and establishing such tariffs and all effective supplements thereto, said supplement to be in form and substance satisfactory to the Railroad Commission.

5- Applicant Motor Transit Company shall immediately withdraw time schedules filed in its name with the Railroad Commission and applicant Maupin shall immediately file, in duplicate, in his own name, time schedules covering service heretofore given by applicant Motor Transit Company, which time schedules shall be identical with the time schedules now on file with the Railroad Commission in the name of applicant Motor Transit Company, or time schedules satisfactory to the Railroad Commission.

6- The rights and privileges herein authorized may not be sold, leased, transferred nor assigned, nor service there - under discontinued, unless the written consent of the Railroad Commission to such sale, lease, transfer, assignment or discontinuance has first been secured.

7- No vehicle may be operated by applicant Maupin 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 4¹⁵ day of
November, 1927.

Ernest C. ...
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Leon ...
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COMMISSIONERS.