

Decision No. 13689

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of  
 GEORGE W. WILKINS to sell his one-half  
 interest, and GUY S. ALEXANDER to purchase  
 said one-half interest in an automobile  
 stage line, known as the "Bishop-Mono Lake  
 Stage Line," operated between Bishop and  
 Mono Lake, California, and intermediate  
 points, and application of GUY S. ALEXANDER  
 and his co-partner L. B. LARSON for a  
 certificate of public convenience and  
 necessity to extend the service from all  
 points north of Bishop to Pasadena and  
 Los Angeles.

ORIGINAL

) Application No. 13819

In the Matter of the Application of  
 GEO. W. WILKINS and L. B. LARSON for cer-  
 tificate of public convenience and necessity  
 to operate auto passenger and express service  
 between Bishop and Mono Lake and all points  
 intermediate thereto and points within 4  
 miles of main road.

) Application No. 13878

BY THE COMMISSION -

FIRST SUPPLEMENTAL ORDER

WHEREAS, by its Decision No. 19579 on Application No. 13819,  
 as decided April 10, 1928, the Railroad Commission deferred its  
 authorization of the transfer of operative rights until an agreement  
 of transfer satisfactory to the Commission should have been filed  
 herein by applicants, and

WHEREAS, an amendment under date February 27, 1928, to the  
 agreement dated May 19, 1927, said agreement filed as a portion of  
 Application No. 13819 as "Exhibit A" attached thereto, has been filed  
 herein and is in form satisfactory to the Railroad Commission,

NOW, THEREFORE, Good cause appearing,

IT IS HEREBY ORDERED that applicant George W. Wilkins be and  
 he hereby is authorized to sell and transfer his one-half interest  
 in an automobile stage line, known as the "Bishop-Mono Lake Stage  
 Line" and operated between Bishop and Mono Lake, California, and  
 intermediate points, to Guy S. Alexander and said Guy S. Alexander  
 and L. B. Larson, a co-partnership, are hereby authorized to acquire

and hereafter operate said automobile stage line as a common carrier of passengers, baggage and express, for compensation, over the highway between Bishop and Mono Lake, California, and the intermediate points of Clark's Rock Creek Camp, Boulder Lodge Culver's Camp, June Lodge; Cherokee Camp, Carson's Camp and Leevining, and an on call service to the following points located off said main highway: Whitmore Tubs, Rymor's Camp on Convict Lake, Los Angeles High Sierra Playground, Tamarack Lodge and Crystal Crag, such rights covering seasonal operation from June to October, inclusive, of each year. This order is subject to the following conditions:

1. This order shall not become effective until the fee as prescribed by Section 57 of the Public Utilities Act covering the issuance of indebtedness shall have been paid, such fee in this proceeding being the minimum of Twenty-five Dollars (\$25.00).

2. 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.

3. Applicants Geo. W. Wilkins and L.B.Larson shall immediately unite with applicants Guy S. Alexander and L.B.Larson in common supplement to the tariffs on file with the Commission, applicants Geo. W. Wilkins and L.B. Larson on the one hand withdrawing, and applicants Guy S. Alexander and L.B.Larson on the other hand accepting and establishing such tariffs and all effective supplements thereto.

4. Applicants Geo. W. Wilkins and L.B.Larson shall immediately withdraw time schedules filed in their names with the Railroad Commission and applicants Guy S.Alexander and L.B.Larson shall immediately file, in duplicate, in their own names time schedules covering service heretofore given by applicants Geo. W. Wilkins and L.B. Larson, which time schedules shall be identical with the time schedules now on file with the Railroad Commission in the name of applicants Geo. W. Wilkins and L.B.Larson or time schedules satisfactory to the Railroad Commission.

5. 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.

6. No vehicle may be operated by applicants Guy S. Alexander and L. B. Larson unless such vehicle is owned by said applicants or is leased by them under a contract or agreement on a basis satisfactory to the Railroad Commission.

Guy S. Alexander and L.B.Larson are hereby placed upon notice that "Operative rights" do not constitute a class of property which should be capitalized or used as an element of value in determining reasonable rates. Aside from their purely permissive aspect, they extend to the holder a full or partial monopoly of a class of business over a particular route. This monopoly feature may be changed or destroyed at any time by the state which is not in any respect limited to the number of rights which may be given.

Dated at San Francisco, California, this 27th day of April, 1928.

Leon Whitall  
Al Seaver  
David R. ...  
M. A. ...  
COMMISSIONERS.

Fee \$ 25.00  
RAILROAD COMMISSION  
STATE OF CALIFORNIA  
MAY 9 1928  
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