

Decision No. 24972.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
 TAHOE TRANSPORTATION COMPANY, a Cali-
 fornia corporation, Lessor, to lease
 to MATT GREEN, Lessee, certificate of
 public convenience and necessity author-
 izing the operation of an automobile truck
 line between Tahoe City and Brockway and
 intermediate points, and Tahoe City and
 Lakeside, Fallen Leaf Lodge and interme-
 diate points, right to operate vessels
 for the transportation of passengers and
 freight on the inland waters of the State,
 to-wit: between points on Lake Tahoe, and
 certain real and personal properties.

ORIGINAL

Application No. 18199.

Gwyn E. Baker, for both parties.

BY THE COMMISSION:

O P I N I O N

The Tahoe Transportation Company, a California corpora-
 tion (hereinafter referred to as the Transportation Company), ap-
 plicant in this proceeding, asks the Commission to enter an order
 authorizing under the provisions of Section 51 of the Public Util-
 ities Act the leasing by the Transportation Company to Matt Green
 for the sum of \$10.00 for the period May 1, 1932, to October 1,
 1932, all of its right, title and interest in and to all of the
 properties, real and personal, described in Exhibits "A", "B" and
 "C", fastened to and made a section of the lease agreement attached
 to and made part of the application. Exhibit "A"¹ refers to certain

¹ The real property is used in part in connection with the public utility operations.

real property situated in the County of Placer, Exhibit "B"² refers to certain steamers, machinery, tools, auto trucks, etc., and Exhibit "C"³ refers to certain rights to operate an auto truck service between Tahoe City and Brockway and between Tahoe City and Lakeside and Fallen Leaf, and also to all rights to operate vessels on Lake Tahoe.

A public hearing was held before Examiner Geary at San Francisco on June 23, 1932, and the matter submitted.

It appears from this record that the stock of the Transportation Company is owned by the Lake Tahoe Company, also a California corporation, and that the properties of the Lake Tahoe Company, including the stock of the Transportation Company, are now held by the California Pacific Title and Trust Company in trust for a bondholders' committee under an agreement dated September 1, 1931. Under date of May 1, 1932, a lease was executed by the bondholders' committee leasing to Matt Green certain real and personal property not included in the proceeding now before this Commission; this agreement also provides for the purchase of all properties by the lessee, subject to the approval of the Railroad Commission.

The operations of the vessels on Lake Tahoe and of the truck lines in the same general territory are a public convenience and necessity and should be continued without interruption, and it appears from the record that the properties cannot be sold at this time. Applicants intend to continue the services in the public

² The right to operate vessels for the transportation of persons and property on Lake Tahoe was acquired by the purchase of the properties from the Lake Tahoe Railway and Transportation Company by virtue of our Decision No. 15668, November 21, 1925, Application No. 11878.

³ The public convenience and necessity certificate under which the Transportation Company performs the auto truck services between Tahoe City and Brockway and between Tahoe City and Lakeside and Fallen Leaf was granted by this Commission and is fully described in Decision 19146, Application 12987 of December 23, 1927.

interest.

We are of the opinion that the application should be granted, and that the parties should be authorized to enter into the lease agreement covering all properties, both real and personal, as set forth in Exhibits "A", "B" and "C" attached to and made a part of the application.

O R D E R

This proceeding having been duly heard and submitted, full investigation of the matters and things involved having been had, and basing its order on the findings of fact and the conclusions contained in the preceding opinion,

IT IS HEREBY ORDERED that the above entitled application be and the same is hereby granted, subject to the following conditions:

1. The consideration to be paid for the lease of the property herein authorized 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 lease herein authorized.
2. Applicant Tahoe Transportation Company shall immediately unite with applicant Matt Green in a common supplement to the tariffs on file with the Commission, applicant Tahoe Transportation Company on the one hand withdrawing, and applicant Matt Green on the other hand accepting and establishing such tariffs and all effective supplements thereto.
3. The rights and privileges herein authorized may not be sold, leased, transferred or 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.

Dated at San Francisco, California, this 27th day of

July, 1932.

C. Scammy
M. H. [unclear]
Fred H. Stewart
COMMISSIONERS.