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Decision No. 10308

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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In the Matter of the Application of
W. W. ALLEN to sell and JOE OLINSKY
to purchase a one-half interest in
an automobile passenger and freight
stage line operated between Cazadero
and Fort Bragg, California.

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: Application No. 7723
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BY THE COMMISSION,

ORDER

In this proceeding W. W. Allen has filed a joint application with Joe Olinsky in which they petition the Railroad Commission for an order authorizing W. W. Allen to sell and W. W. Allen and Joe Olinsky, a co-partnership, to purchase the operative right and equipment used in the conduct of an automobile stage line as a common carrier of passengers, freight, baggage and express between Cazadero and Fort Bragg, California, and intermediate points.

The operative right proposed to be transferred was obtained by Wm. W. Allen under Decision No. 5608 in Application No. 3948, dated July 26, 1918, and authorizes the operation of an automobile stage line as hereinabove described serving as intermediate points Noyo, Caspar, Mendocino, Albion, Elk, P.t Arena, Gualala, Stewart's Point, Plantation, and Sea View. Subsequently, under Decision No. 8851 in Application No. 6719, dated April 12, 1921, W. W. Allen was authorized to purchase and operate an automobile passenger stage line heretofore operated by H. Peterson between Albion and Fort Bragg and intermediate

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points, all of which were at the time served by W. W. Allen under certificate heretofore granted.

Applicants state in their petition that they have been co-partners in the conduct of this stage business for several years, but that through ignorance of the provisions of Chapter 213, Statutes of 1917, as amended, they were unaware that an order of the Commission was necessary to legally transfer a one-half interest in the operative right. The present application is made to legalize the operation of this stage line as a co-partnership. Both applicants have invested equal sums in the purchase of equipment used in the operation of this line.

It appearing to the Commission 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 applicant W. W. Allen shall immediately cancel all tariff of rates and time schedules at present on file with this Commission and that applicants W. W. Allen and Joe Olinsky, co-partners, shall immediately file, in duplicate, tariff of rates and time schedules identical with the tariff of rates and time schedules at present filed under the name of W. W. Allen.

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

3. That no vehicle may be operated by applicants herein unless such vehicle is owned by them or is

leased by them under a contract or agreement on a basis satisfactory to the Railroad Commission.

Dated at San Francisco, California, this 12th
day of April, 1922.

W. H. Brundage

Irving Martin

J. H. McDonald
Commissioners