

Decision No. 10511

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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In the Matter of the Application of
P. F. MAGORIA to sell and M. G.
FILIPPONI to purchase a one-half
interest in a certain automobile
truck line operated between San Luis
Obispo, Cambria and San Simeon.

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: Application No. 7877
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BY THE COMMISSION,

ORDER

M. G. Filipponi and P. F. Magoria have
filed a joint application with the Railroad Commission in
which applicant Magoria applies for permission to sell and
applicant Filipponi to purchase a one-half interest in a
certain automobile truck line operating as a common carrier
of freight between San Luis Obispo, Cambria, San Simeon and
intermediate points northwesterly of Cayucos.

The operative right, one-half interest in
which it is herein proposed to transfer was originally granted
to applicant M. G. Filipponi under Decision No. 7532 in Ap-
plication No. 4695 dated May 3rd, 1920 and authorized the
operation of an automobile truck line as a common carrier
of freight between San Luis Obispo, Cambria, San Simeon and
intermediate points northwesterly of Cayucos, but prohibited
service between Cayucos, San Luis Obispo and intermediate
points. Filipponi subsequently transferred a one-half
interest in this operative right to P. F. Magoria under Decision
No. 8256 in Application No. 6183, dated October 16th, 1920.
The said P. F. Magoria now desires to retransfer said un-

divided one-half interest back to Filipponi due to the fact that he is engaged in other lines of business and has not the time to devote to the operation of the truck service.

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 the consideration to be paid for the property herein proposed 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. That applicants Magoria and Filipponi shall immediately cancel all tariff of rates and time schedules now on file with the Railroad Commission, such cancellation to be in accordance with the provisions of General Order No. 51.
3. That applicant M. G. Filipponi shall immediately file, in duplicate, in his own/tariff of rates and time schedules, or adopt as his own the tariff of rates and time schedules heretofore filed by applicants Magoria and Filipponi, all tariff of rates and time schedules to be identical with those filed by applicants Magoria and Filipponi.
4. That the rights and privileges herein authorized to be transferred shall 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.
5. That no vehicle may be operated by applicant M. G. Filipponi 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 26 day of May, 1922.

H. B. Brundage
David W. Thompson
J. J. Benedict
Commissioners