

Decision No. 10711

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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In the Matter of the Application of)
W. M. BOYCE to sell and C. A. SCHOEN
to purchase an automobile passenger and : Application No. 7983
express line operated between Redlands
and Yucaipa, California.)

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BY THE COMMISSION,

O R D E R

W. M. Boyce and C. A. Schoen have filed a joint application with the Railroad Commission for an order authorizing Boyce to sell and Schoen to purchase a certain automobile stage line at present owned and operated by applicant Boyce.

The operative right herein proposed to be transferred was originally granted under Decision No. 7259 in Application No. 4688, such decision granting a co-partnership consisting of Carr and Boyce, an operative right authorizing the operation of an automobile stage line as a common carrier of passengers and express between Redlands and Banning and intermediate points. Subsequent thereto this partnership was dissolved and under Decision No. 7849 in Application No. 5865 the operative right was divided between the two co-partners, Boyce receiving the operative right authorizing the operation of passenger and express stage service between Redlands and Yucaipa Valley and intermediate points. This is the operative right which he now proposes to transfer to Schoen.

The consideration to be paid is given as the sum of \$250.00. This consideration does not include any equipment as the proposed purchaser desires to continue this service with new and better equipment than that now used by the present operator.

With the understanding that the consideration paid for the property herein proposed to be transferred shall not be binding upon the Railroad Commission for rate fixing or any purposes other than the transfer herein authorized, 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 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.
2. That applicant W. M. Boyce shall immediately file a cancellation of 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 of the Railroad Commission.
3. That applicant C. A. Schoen shall immediately file, in duplicate, in his own name tariff of rates and time schedules, or adopt as his own the tariff of rates and time schedules heretofore filed by applicant Boyce, all tariff of rates and time schedules to be identical with those filed by applicant Boyce.
4. That the rights and privileges herein authorized to be transferred shall never 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 Schoen unless such vehicle is owned by him or is leased by him under a contract or agreement on a basis satisfactory to the Railroad Commission.

Dated at San Francisco, California, this 15th day of July, 1922.

H. B. ...
W. M. Boyce
C. A. Schoen
Commissioners