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Decision No. 10740

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

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In the Matter of the Application of
HENRY W. BOWEN to sell and
ALOUIS FRANDRUP to purchase an
automobile passenger and freight
line operated between Marysville,
California, and La Porte, California.)

Application No. 8069.

ORIGINAL

BY THE COMMISSION:

O R D E R

Henry M. Bowen and Alouis Frandrup have filed a joint application with the Railroad Commission in which they petition for an Order authorizing Bowen to sell and Frandrup to purchase a certain automobile stage line operated by applicant Bowen between Marysville and La Porte and intermediate points, California. The operative right herein proposed to be transferred was originally obtained by Henry M. Bowen under Decision No. 7687 in Application No. 5739, dated June 8, 1920, and authorizes the operation of an automobile stage line as a common carrier of passengers and freight between the points hereinabove mentioned.

It would appear from the papers filed in this proceeding that Frandrup has obtained a contract for the transportation of United States mail over the route covered by the certificate herein proposed to be transferred, and is succeeding applicant Bowen, and in accordance therewith the parties applicant hereto have entered into an agreement whereby Bowen proposes to transfer his stage line to Frandrup for a consideration of \$300.00.

In view of the above circumstances 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, with the understanding that the consideration paid for the property herein proposed to be transferred shall not be binding upon the Commission for rate fixing or any purposes other than the transfer herein authorized, and

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

1. That applicant Bowen 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.

2. That applicant Frandrup 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 filed by applicant Bowen, all tariff of rates and time schedules to be identical with those filed by applicant Bowen.

3. 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 made.

4. That no vehicle may be operated by applicant Frandrup 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 20th day of July, 1922.

H. B. Bunnell
Dwight Martin
J. J. [unclear]
Commissioners.