

Decision No. 10842

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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ORIGINAL

In the Matter of the Application of
BENZ-SPAGNOLI to sell and WM. V. HOGAN
to purchase the entire interest in
an automobile passenger stage line
operated between Concord and Avon,
California.

)
: Application No. 8133
)

BY THE COMMISSION,

ORDER

Ben W. Spagnoli and Wm. V. Hogan have filed a joint application with the Railroad Commission in which they petition for an order authorizing Spagnoli to sell and Hogan to purchase the former's interest in a certain automobile stage line operated between Concord and Avon.

The operative right hereinafter consideration was originally obtained by Ben W. Spagnoli under Decision No. 7788 in Application No. 5765 dated June 24th, 1920 and authorizes the operation of an automobile stage line as a common carrier of passengers between Concord and Avon. Under Decision No. 10078 in Application No. 7536 dated February 8th, 1922, Spagnoli was authorized to sell a one-half interest in his automobile stage line to Wm. V. Hogan. In the present proceeding Hogan proposes to purchase the remaining half interest.

The consideration involved is given as the sum of \$1,000.00 and represents Spagnoli's interest in one 1920, two 1921 and 1 1922 Chevrolet trucks.

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 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. Applicants Ben W. Spagnoli and Wm. V. Hogan shall immediately cancel tariff of rates and time schedules now on file with the Railroad Commission, such cancellation to be in accordance with General Order No. 51 of the Railroad Commission.

3. Applicant Wm. V. Hogan shall immediately file in duplicate in his own name tariff of rates and time schedules or shall adopt as his own the tariff of rates and time schedules heretofore filed by Ben W. Spagnoli and Wm. V. Hogan, all tariff of rates and time schedules to be identical with those as filed by Spagnoli and Hogan.

4. 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. No vehicle may be operated by applicant Hogan 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 10th
day of August, 1922.

H. R. Anderson
James W. Martin
Charles J. Brown
W. J. Smith
Commissioners