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Decision No. 11144

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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In the Matter of the Application of)	
A. J. LESTER to sell and ANTHONY M.)	
CORNERO to purchase an automobile)	
express and passenger stage line)	Application No. 8338
operating between Santa Maria, Calif-)	
ornia, and Guadalupe, California.)	

BY THE COMMISSION,

ORDER

A. J. Lester and Anthony M. Cornero have filed a joint application with the Railroad Commission in which they petition for an order authorizing Lester to sell and Cornero to purchase a certain automobile stage line operated between Santa Maria and Guadalupe, California.

The operative rights herein proposed to be transferred were secured by applicant Lester, one under Decision No. 10432 in Application No. 7818, dated May 10, 1922, which Decision authorized one Gillespie to transfer his operative right authorizing the operation of automobile passenger stage service between the points hereinabove mentioned to applicant Lester; the other, under Decision No. 10815 in Application No. 7809, dated August 3, 1922, which Decision granted a certificate of public convenience and necessity to A. J. Lester authorizing the operation of automobile freight service between Santa Maria and Guadalupe. Said Decision, however, contained restrictions to the effect that no packages weighing over 10 pounds each, could be transported under said certificate, with the exception of

those containing meat, tamales or ice cream, or ice cream containers.

The consideration to be paid for the property herein proposed to be transferred is given as the sum of \$2,375.00 and includes, in addition to the operative rights hereinabove mentioned, one Dodge and one Studebaker automobile passenger stage.

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 applicant Anthony M. Cornero shall file his written acceptance of the certificate herein authorized to be transferred, which written acceptance shall contain a statement to the effect that he fully understands the restrictions contained in the certificate granted under Decision No. 10815 and that in connection with his operation of this stage line, such restrictions will be strictly complied with.

2. That applicant A. J. Lester 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 Anthony M. Cornero 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 now on file with the Commission by applicant Lester, all tariff of rates and time schedules to be identical with those of applicant Lester.

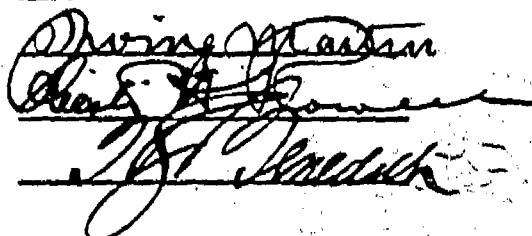
4. That the rights and privileges herein authorized to be transferred may not be discontinued, sold, leased, transferred nor assigned unless the written consent of the Railroad Commission to such discontinuance, sale, lease, transfer or assignment has first been secured.

5. 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.

6. That no vehicle may be operated by applicant Cornero 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

20th day of October, 1922.



 Commissioners