

Decision No. 11148

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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In the Matter of the Application of)
 PICKWICK STAGES, Northern Division,)
 a Corporation, for authority to sell :
 and transfer operative rights for the : Application No. 8307
 operation of automobile passenger)
 service, between San Jose and Gilroy :
 and intermediate points.)

BY THE COMMISSION,

O R D E R

Pickwick Stages, Northern Division, a Corporation,
 and Marguerite Heple and Ralph Heple, a co-partnership doing
 business under the fictitious name of Highway Stages, have
 filed a joint application with the Railroad Commission in
 which they petition for an order authorizing the transfer
 of a certain operative right authorizing the operation of
 automobile passenger stage service between San Jose and Gil-
 roy and intermediate points.

The operative right herein proposed to be transfer-
 red was obtained by Pickwick Stages, Northern Division, a Cor-
 poration, under Decision No. 7346 in Application No. 5507,
 dated April 3, 1920, in which Decision one M. V. Eneyart was
 authorized to sell and Pickwick Stages, Northern Division,
 a Corporation, to purchase and operate an automobile passenger
 stage line operated between the points hereinabove mentioned.

The consideration to be paid for the operative right
 herein proposed to be transferred is given as the sum of
 \$600.00. No equipment is involved in the transfer. Both
 of the applicants herein are at present engaged in the opera-

tion of automobile passenger stage service, the proposed purchasers at the present time holding an operative right authorizing automobile passenger stage service between the same points and over the identical route covered by the certificate herein proposed to be transferred. Accordingly, the granting of the present application will merely tend to consolidate the two separate operative rights authorizing the performance of an identical service.

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 operative right 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 Pickwick Stages, Northern Division, a Corporation, shall immediately cancel tariff of rates and time schedules on file with the Commission covering service between the points hereinabove mentioned, such cancellation to be in accordance with the provisions of General Order No. 51 of the Railroad Commission.

3. That applicants Marguerite Heple and Ralph Heple, a co-partnership doing business under the fictitious name of Highway Stages, shall immediately file, in their own name, tariff of rates and time schedules, or adopt as their own the tariff of rates and time schedules as filed by Pickwick Stages, Northern Division, a Corporation, all tariff of rates and time schedules to be identical with those of Pickwick Stages, Northern Division, a Corporation.

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.

