

Decision No. 11300

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

-000-

In the Matter of the Application of)
A. J. NICKERSON to sell, and W. L.)
WARNER to purchase the one half interest : Application No. 8432
in an automobile freight line operating)
between Sacramento and Woodland, Calif.)

BY THE COMMISSION,

O R D E R

A. J. Nickerson and W. L. Warner have filed a joint application with the Railroad Commission in which they petition for an order authorizing Nickerson to sell and Warner to purchase the interest of Nickerson in an automobile stage line operated as a common carrier of freight between Sacramento and Woodland, California.

The operative right herein proposed to be transferred was originally obtained by C. M. Ray under Decision No. 5475 in Application No. 3832, dated June 11, 1918, and authorizes the operation of an automobile truck line as a common carrier of freight and express between Sacramento, Woodland and intermediate points.

Under Decision No. 8377 in Application No. 6271, dated November 26, 1920, C. M. Ray was authorized to transfer his operative right, described above, to a co-partnership consisting of Warner and Nickerson, applicants herein. The present application gives the sum of \$3,500.00 as the consideration to be paid for the Nickerson interest in the property herein proposed to be transferred, all of which amount, applicants allege, is for equipment now used in the service, no portion of such consideration including any claimed value for operative right or other

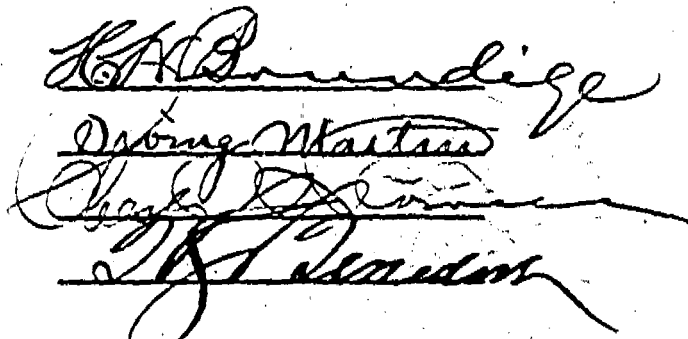
intangible items.

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 applicants Nickerson and Warner, co-partners, shall immediately cancel 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 W. L. Warner, as an individual, shall immediately file, in duplicate, tariff of rates and time schedules, or adopt as his own the tariff of rates and time schedules as filed by applicants Nickerson and Warner, co-partners. All tariff of rates and time schedules to be identical with those as filed by Nickerson and Warner, co-partners.
4. That 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 Warner 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 1st
day of December, 1922.


Commissioners