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Decision No. 11301

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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In the Matter of the Application of)
H. O. WATERMAN and GEORGE R. CARNE,)
owners of the Ojai, Ventura and Los)
Angeles Express franchise for an auto : Application No. 8439
truck freight business for permission)
to transfer the interest therein of)
H. O. Waterman to George R. Carne. ;

BY THE COMMISSION,

ORDER

H. O. Waterman and George R. Carne have filed a joint application with the Railroad Commission in which they petition for an order authorizing Waterman to sell and Carne to purchase the interest of Waterman in a certain automobile truck line operated by applicants as a co-partnership.

The operative right herein proposed to be transferred was originally obtained by one Harry M. Hunt under Decision No. 7374 in Application No. 4470, dated April 3, 1920, and authorizes the operation of an automobile truck line as a common carrier of freight and express between Los Angeles, Ventura, Ojai and intermediate points. Under Decision No. 7689 in Application No. 5683, dated June 8, 1920, Harry M. Hunt was authorized to transfer his operative right to a co-partnership consisting of Waterman and Carne, applicants herein.

The consideration to be paid by Carne for the interest of his co-partner in the truck line herein under consideration is given as the sum of \$2775.57 and includes in addition to the operative right, the interest of Waterman in one 4-ton Moreland truck, one 1½-ton Moreland truck, one 1-ton Commerce truck, one 4-ton Moreland truck, one 4-ton Moreland truck, one 2½-ton Moreland truck, one 2½-ton Moreland truck, one 2½-ton Moreland truck,

one 1½-ton Moreland truck, one 1-ton Ford truck, one 1-ton Republic truck, one Maxwell touring car; two ½-ton Vim trucks, one Dodge touring car, four trailers, together with various miscellaneous supplies, equipment and office fixtures.

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.

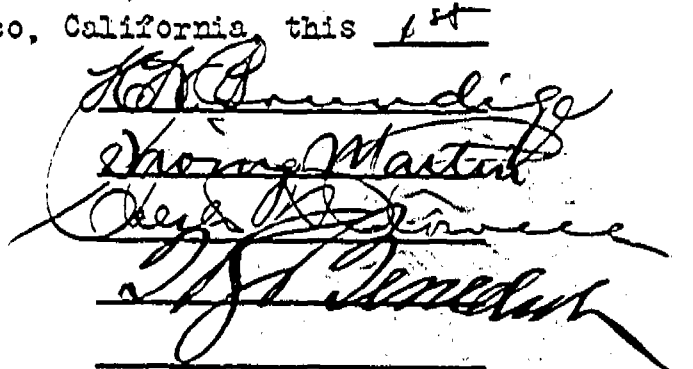
2. That applicants Waterman and Carne, co-partners, shall immediately cancel all tariff of rates and time schedules now on file with the Railroad Commission, such cancellation to be in accordance with the provisions of General Order No. 51 of the Railroad Commission.

3. That applicant Carne, as an individual, shall file immediately, in duplicate, 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 Waterman and Carne, co-partners. All tariff of rates and time schedules to be identical with those as filed by Waterman and Carne, co-partners.

4. That the rights and privileges herein authorized to be transferred shall never be discontinued, sold, lease, 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 no vehicle may be operated by applicant Carne 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