

ORIGINAL

Decision No. 11321

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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In the Matter of the Application of)
 GEORGE P. MILLER to sell and LESTER
 HEINDEL to purchase a certain auto- : Application No. 8466
 mobile stage line operated between
 Placerville and Georgetown, California.)

BY THE COMMISSION,

O R D E R

George P. Miller and Lester Heindel have filed a joint application with the Railroad Commission in which they petition for an order authorizing the former to sell and the latter to purchase a certain automobile stage line at present operated by applicant Miller between Placerville, Georgetown and intermediate points, El Dorado County, California.

The operative right herein proposed to be transferred was obtained by George P. Miller under the provisions of Section 5 of Chapter 213, Statutes of 1917, through operation in good faith prior to the effective date of the above numbered statutory enactment and continuously since that time and authorizes the operation of an automobile stage line as a common carrier of passengers and freight between the points hereinabove named.

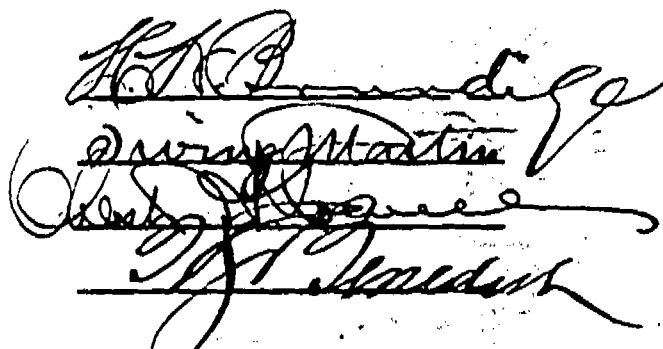
The consideration to be paid for the property involved in the present proceeding is given as the sum of \$1,000.00 and includes, in addition to the operative right, one Pope - Hartford automobile valued at \$1,000.00. Applicants claim that no monetary consideration is to be paid for operative right or 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. 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. Applicant George P. Miller shall immediately cancel all tariff of rates and time schedules now on file with the Commission, such cancellation to be in accordance with the provisions of General Order No. 51 of the Railroad Commission.
3. Applicant Lester Heindel 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 filed by applicant Miller. All tariffs and time schedules to be identical with those as filed by applicant Miller.
4. 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. No vehicle may be operated by applicant Heindel 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 5th day of December, 1922.


Commissioners