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Decision No. 11374

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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ORIGINAL

In the Matter of the Application of )  
O. N. PAULY to sell and EDWIN A. )  
BOEHME to purchase an automobile : Application No. 8343  
stage line operated between Oroville )  
and Woodleaf, California. )

BY THE COMMISSION,

O R D E R

O. N. Pauly and Edwin A. Boehme, have filed a joint application with the Railroad Commission in which they petition for an order authorizing Pauly to sell and Boehme to purchase an automobile stage line operated between Oroville and Woodleaf, California.

The operative right herein proposed to be transferred was obtained by O. N. Pauly under the provisions of Section 5 of Chapter 213, Statutes of 1917 due to operation in good faith prior to May 1st, 1917 and continuously since that time. This operative right authorizes the operation of an automobile stage line as a common carrier of passengers, baggage and freight between Oroville and Woodleaf serving as intermediate points Hurleton and Forbestown.

The consideration to be paid for the property herein sought to be transferred is given as the sum of \$500.00.

It appears that the seller heretofore held the contract for the transportation of mail between the above named

points, which contract was taken over on July 1st, 1922 by the proposed purchaser who has arranged to also take over the transportation of passengers, baggage and freight between the points hereinabove named.

It appears 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 applicant O. N. Pauly 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. That applicant Edwin A. Boehme 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 as filed by applicant Pauly. All tariff of rates and time schedules to be identical with those as filed by applicant Pauly.
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 Boehme 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 22<sup>d</sup>  
day of December, 1922,

H. K. Brundage  
David Martin  
J. F. Tenebrich  
Commissioners