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Decision No. 11417

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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In the Matter of the Application of)
PAUL GATTO to sell and TOCCHINI &)
DIANDA, co-partners, to purchase an : Application No. 8511
automobile freight line operated bet-)
ween Half Moon Bay and San Francisco,)
California. :

BY THE COMMISSION,

O R D E R

Paul Gatto and Tocchini & Dianda, co-partners, have filed an application with the Railroad Commission in which they petition for an order authorizing Gatto to sell and the co-partnership to purchase a certain operative right authorizing the operation of an automobile truck line between Half Moon Bay and San Francisco.

The operative right herein sought to be transferred was obtained by applicant Gatto under Decision No. 10065 in Application No. 7440 dated February 8, 1922, and authorizes the operation of an automobile truck line as a common carrier of vegetables and other perishable farm products from Half Moon Bay district to Colma and San Francisco via the Crystal Lakes road and San Mateo, but expressly prohibits the service to San Mateo as an intermediate point.

The consideration to be paid in connection with the transfer herein sought is given as the sum of \$40.00. No equipment or other tangible property is involved in the transfer.

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. Applicants Tocchini & Dianda, co-partners, shall file immediately their written acceptance of the certificate herein authorized to be transferred, such acceptance to include a statement to the effect that they fully understand the limitations contained in said certificate and that such limitations will be strictly complied with.
2. 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 operative right for rate fixing or any purpose other than the transfer herein authorized.
3. Applicant Paul Gatto 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.
4. Applicants Tocchini & Dianda, co-partners, shall immediately file, in duplicate, tariff of rates and time schedules or adopt as their own the tariff of rates and time schedules heretofore filed by applicant Gatto. All tariff of rates and time schedules to be identical with those as filed by applicant Gatto.
5. The operative 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.
6. No vehicle may be operated by applicants Tocchini & Dianda, co-partners, unless such vehicle is owned by said applicants or is leased by them under a contract or agreement on a basis satisfactory to the Railroad Commission.

Dated at San Francisco, California, this 29th
day of December, 1922

H. B. Brundage
Dwight Martin
J. J. [illegible]
Commissioners