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Decision No. // 115/

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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ORIGINAL

In the Matter of the Application of
E. B. DILLINGHAM and H. L. DILLINGHAM,
co-partners doing business under the firm :
name of DILLINGHAM TRANSPORTATION COMPANY,)
to sell, and of DILLINGHAM TRANSPORTATION) Application No. 8587
COMPANY, a corporation, to acquire and :
exercise, certain automobile stage line :
operating rights.)

BY THE COMMISSION,

O R D E R

E. B. Dillingham and H. L. Dillingham, co-partners doing business under the firm name of Dillingham Transportation Company, have filed a joint application with the Dillingham Transportation Company, a corporation, in which they petition for an order authorizing them to transfer their operative rights from the co-partnership to the corporation. The co-partnership has heretofore been operating an automobile stage line as a common carrier of passengers under certificates more fully described in the application herein. Being under the belief that this service could be conducted more efficiently by a corporation than by the co-partnership, they have formed the Dillingham Transportation Company, a corporation, to which corporation they now desire to transfer their operative rights and equipment.

At the present time it is only proposed to pay the nominal sum of \$1.00 for the property herein sought to be transferred, the corporation to later make application to the Railroad

Commission for permission to issue certain shares of stock representing the present value of the equipment and other property which will be acquired by the corporation. Such financial transactions as are involved in this proceeding can be more readily handled in connection with the application of the corporation to issue stock. Accordingly, 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, E. B. Dillingham and H. L. Dillingham, co-partners doing business under the firm name of Dillingham Transportation Company, 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.
2. Applicant Dillingham Transportation Company, a corporation, shall immediately file, in duplicate, tariff of rates and time schedules or shall adopt as its own the tariff of rates and time schedules filed by E. B. and H. L. Dillingham, co-partners; all tariff of rates and time schedules to be identical with those as filed by the co-partnership.
3. 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.
4. No vehicle may be operated by Dillingham Transportation Company, a corporation, unless such vehicle is owned by said corporation or is leased by it under a contract or agreement on a basis satisfactory to the Railroad Commission.

Dated at San Francisco, California, this 24th day of January, 1923.

O. J. Sewery

James Martin
Golden Shore

Commissioners