

ORIGINAL

Decision No: 6523.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of)
A. R. G. BUS COMPANY, a corporation,)
WILL R. FORKER, and MORELAND MOTOR)
TRUCK COMPANY, a corporation, for)
permission as to the transfer of)
certain franchises, rights and permits)
from the A. R. G. BUS COMPANY to MORE-)
LAND MOTOR TRUCK COMPANY and from it)
to the said WILL R. FORKER.)

Application No. 4779.

BY THE COMMISSION

O R D E R

A. R. G. Bus Company, a corporation, Will R. Forker, and Moreland Motor Truck Company, a corporation, have petitioned the Railroad Commission for an order authorizing the sale, transfer and assignment of certain operative rights of the A. R. G. Bus Company over routes as hereinafter specified to the Moreland Motor Truck Company, a corporation, said operative rights to be thereupon transferred to Will R. Forker as Trustee for said Moreland Motor Truck Company.

The application in this proceeding sets forth the fact that the applicant, A. R. G. Bus Company, is indebted to the Moreland Motor Truck Company for equipment purchased on lease contract and for repair parts and other merchandise; that in satisfaction of such financial obligation certain agreements have been executed and in connection with such agreements were executed certain bills of sale covering operative rights heretofore held by the A. R. G. Bus Company which are to pass to the Moreland Motor Truck Company, such operative rights having been

acquired by the A. R. G. Bus Company by reason of operation having been given in good faith over the routes hereinafter specified on May 1, 1917 and continuously since such date, the Legislature having fixed such date as that upon which operators of stage lines who were giving service need not obtain a certificate of public convenience and necessity from the Railroad Commission nor permits from the governing bodies of the various political subdivisions through which said routes operated. Copies of the agreements and bills of sale are attached to and form a part of the application in this proceeding.

The Moreland Motor Truck Company, applicant in this proceeding, is not authorized by its articles of incorporation to conduct the business of a common carrier and does not desire so to do. It proposes to immediately transfer the rights and privileges to be acquired from the applicant A. R. G. Bus Company to Will R. Forker as Trustee for said Moreland Motor Truck Company, said Forker to continue operation of stage lines over the routes as hereinafter specified until such time as arrangements may be made for the sale or other disposition of said operative rights.

The transfer of the operative rights, as sought by applicants in this proceeding, requires the approval of the Railroad Commission and this proceeding is brought under the provisions of Section 5 of Chapter 213, Laws of 1917, as amended by Chapter 280, Laws of 1919, a portion of such section referring to the requirement that the approval of the Railroad Commission must be given for the transfer or assignment of operative rights of automobile stage or truck companies operating

as common carriers under the jurisdiction of the Railroad Commission.

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 operative rights and privileges heretofore acquired by the A. R. G. Bus Company, a corporation, by reason of operation having been given in good faith over the following described routes prior to and continuously since May 1, 1917, and which are referred to in certain bills of sale dated May 31, 1919, copies of same being filed with the application in this proceeding, be and the same hereby are approved for transfer to the Moreland Motor Truck Company, a corporation, said routes being as follows:

"Between the City of Los Angeles, California, and the City of Ontario, California, and all way points, over that public highway commonly called the "Valley Boulevard". Said Valley Boulevard runs in a generally easterly and westerly direction, is paved and passes through the cities and towns of Alhambra, El Monte, Puente and Pomona."

"Between the City of Ontario, California, and the City of Riverside, California, and all way points over that public highway described as follows: From office 126 N. Euclid Avenue, Ontario; south on Euclid Avenue to A. Street east on A. Street to Bon View Avenue; South on Bon View Avenue to Riverside Boulevard; east via Collins Station, Wineville and Riverside; east on Seventh Street, Riverside to Main Street; South on Main Street to Eighth Street; west on Eighth Street to #741 W. Eighth Street."

"Between the City of San Bernardino, California, and the City of Redlands, California, and all way points over that public highway described as follows:
East on Third Street to E. Street;

south on E Street to Colton Avenue; east on Colton Avenue to Loma Linda Drive; south on Loma Linda Drive to Mountain View Avenue; east on Mountain View Avenue to Redlands Junction and Brookside Avenue, Redlands; east on Citrus Street to Orange Street; north on Orange Street to State Street."

Between the City of Ontario, California, and the City of San Bernardino, California, and all way points over that public highway described as follows:

From office #126 N. Euclid Avenue, Ontario; north on Euclid Avenue to Ninth Street, Upland; east on Ninth Street to Second Avenue; north on Second Avenue to Tenth Street; east on Tenth Street to Foothill Boulevard, Cucamonga, Etiwanda, Fontana, Rialto, to Fourth Street, San Bernardino, east on Fourth Street to Mount Vernon Street, south on Mount Vernon Street to Third Street; east on Third Street to F Street."

"Between the City of Pomona, California, and the City of Chino, California, and all way points over that public highway described as follows:

From office #246 Garey Avenue, north on Garey Avenue to Holt Avenue; east on Holt Avenue to Central Avenue, Riverside Drive; west on Riverside Drive to Sixth Street, Chino; south on Sixth Street to "D" Street #391 Sixth Street."

The transfer of the operative rights and privileges herein above authorized shall not become effective until applicant, Moreland Motor Truck Company, shall have secured from the Railroad Commission a supplemental order herein reciting that said Moreland Motor Truck Company has filed herein certified copy of a transfer to Will R. Forker, Trustee, of the operative rights and privileges over the routes hereinabove specified and until said Will R. Forker, Trustee, will have complied with the regulations and requirements of the Railroad Commission regarding the filing of tariffs and time schedules.

At the time of transfer of the operative rights and privileges from applicant, Moreland Motor Truck Company, to Will R. Forker, Trustee, the applicant A. R. G. Bus Company will be required to cancel and withdraw all tariffs and time schedules now on file with the Railroad Commission and covering service over the routes as hereinabove specified.

The Railroad Commission reserves the right to make such other and further orders in this proceeding as to it may seem just and proper or as the public interest may demand.

Dated at San Francisco, California, this 29th day of July, 1919.

Edwin C. Edgerton
H. D. Loveland
Stan R. Kohn

Commissioners.