

MM

Decision No. 6583

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of PASADENA ELECTRIC EXPRESS for)
a permit to sell and convey all of) Application No. 4725-A.
its property, assets and equipment.)

Hahn & Hahn, by Edward F. Hahn for applicant.

LOVELAND, Commissioner.

O P I N I O N

Pasadena Electric Express asks permission to sell to Pasadena Electric Express Company for \$37,500.00 par value of the capital stock of said Pasadena Electric Express Company, all of its property, assets and equipment described in Exhibit "B", attached to the petition herein. The properties are to be transferred subject to a mortgage indebtedness on its real estate of \$19,500.00 which the said Pasadena Electric Express Company agrees to assume and pay.

The Pasadena Electric Express is operating an express transfer from Pasadena to Los Angeles over the Pacific Electric lines. In its petition applicant states the appraised value of its property to be \$68,701.05.

Pasadena Electric Express Company was formed to acquire the properties of Pasadena Electric Express. At the hearing held in the above entitled matter, Mr. Archdeacon, the purchaser of the

properties, testified that his reason for organizing a new corporation instead of purchasing the stock of the old company was the possibility of some liabilities against the old company, with which he was unfamiliar and for which he did not desire to become liable.

Mr. A. W. Bumiller, secretary of the selling company, testified that in addition to the \$19,500.00 mortgage hereinabove referred to, the selling company had outstanding against it, only current liabilities for which the purchaser was not liable.

It appeared at the hearing that the public would be better served by the transfer of the properties. Mr. Archdeacon, the purchaser, will enter the business with many years experience, and the introduction of his capital will give the company an opportunity of improving its equipment.

I herewith submit the following form of Order:

O R D E R

PASADENA ELECTRIC EXPRESS having applied to the Railroad Commission for authority to sell its properties described in Exhibit "A" attached to the petition herein, to Pasadena Electric Express Company, a public hearing having been held and the Commission being of the opinion that this application should be granted,

IT IS HEREBY ORDERED that Pasadena Electric Express be, and it is hereby, granted authority to sell, subject to a mortgage indebtedness of \$19,500.00 on its real estate, all of its properties described in Exhibit "B" attached to the petition herein, to Pasadena Electric Express Company for 375 shares, of the par value of \$100.00 a share, of the capital stock of said Pasadena Electric Express Company.

The transfer of the properties is made subject to the following conditions and not otherwise:-

- 1.-Pasadena Electric Express Company shall assume and pay the \$19,500.00 mortgage on the real estate, hereinabove

referred to.

2.-The consideration at which the public utility properties are herein authorized to be transferred shall not be considered as a measure of value of said properties before this Commission or any other public body for rate fixing or any other purposes.

3.-The authority herein granted to transfer the public utility properties shall not become effective until the Commission has approved the book entries relative to the transfer and purchase of the properties.

4.-Within thirty days after the execution by the petitioners herein of an instrument of conveyance transferring the property herein referred to, a certified copy of said instrument of conveyance shall be filed with the Railroad Commission by Pasadena Electric Express Company.

5.-The authority herein granted to transfer property shall apply only to such property as may be transferred on or before December 31, 1919.

The foregoing Opinion and Order are hereby approved and ordered filed as the Opinion and Order of the Railroad Commission of the State of California.

Dated at San Francisco, California, this 30th day of

July, 1919.

Edwin O. Edgerton
W. H. ...
Frank ...

Commissioners.