

ORIGINAL

Decision No. 6669.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of
 F. M. BALLARD doing business under the
 firm name and style of BELVEDERE BUS &
 AUTO SERVICE, for transfer of certi-
 ficate of public convenience and necess-
 ity to operate passenger and transport-
 ation service between Tiburon, Belvedere
 and intermediate points.) Application No. 4927.

 BY THE COMMISSION.

ORDER

F. M. Ballard has applied to the Railroad Commission for permission to sell, transfer and assign and William Barr has applied for authority to acquire and hereafter operate the stage line under the fictitious name of Belvedere Bus & Auto Service, such line operating between Tiburon and Belvedere and serving the intermediate community of Bridge.

This application is brought under the provisions of Section No. 5 of Chapter 213, Laws of 1917, as amended by Chapter 280, Laws of 1919, amendments becoming effective July 22, 1919; such section of the statutory enactment requiring the consent of the Railroad Commission to a transfer of operative rights. Applicant, Ballard, acquired operative rights over the route herein referred to by reason of having operated in good faith prior to May 1, 1917, which was the date recognized by the legislature in the passage of Chapter 213, Laws of 1917,

as that upon which applicants then operating in good faith were not required to secure a certificate of public convenience and necessity from this Commission nor permits from the governing bodies of the political subdivisions through which their routes passed.

The transfer of operative rights and equipment is in accordance with a bill of sale dated September 3, 1919, marked exhibit "B" and attached to the application in this proceeding.

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 rights and privileges heretofore held by F. M. Ballard, operating under the firm name and style of Belvedere Bus & Auto Service, be and the same hereby are authorized to be transferred to William Barr; provided, however, that, before this order shall become effective, said F. M. Ballard shall cancel time schedules and rates heretofore filed with this Commission in accordance with the provisions of General Order No. 51 and regulations of the Railroad Commission, and that said William Barr shall file or adopt as his own the time schedules and rates of fare, as heretofore filed in the name of F. M. Ballard; and that the rights and privileges, which are hereby authorized to be transferred, shall not hereafter be transferred nor assigned unless the written permission of the Railroad Commission to such transfer or assignment has first

been secured, and that no vehicle may be operated under this permit unless such vehicle is owned by the said William Barr or is leased by him under a contract or agreement on a basis satisfactory to the Railroad Commission.

Dated at San Francisco, California, this 15th day of September, 1919.

Elmer P. Edgerton
H. D. Loveland
Frank C. Holby
H. V. Boudice
Dwight Martin
Commissioners.