

ORIGINAL

Decision No. 6883.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

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In the Matter of the Application)
of A. C. McVey for authority to)
sell to W. R. Miles his automobile)
stage business and franchise between)
Fresno and Del Rey, and of W. R.)
Miles to purchase the same.)

Application No. 5092.

BY THE COMMISSION:

O R D E R

A. C. McVey and W. R. Miles have petitioned the Railroad Commission for an order approving the transfer of the operative right of A. C. McVey to operate stage line for the transportation of persons and property over a route from the City of Fresno to the Town of Del Rey, all in Fresno County, the applicant, W. R. Miles, to purchase and acquire and hereafter operate said stage line.

The transfer of the operative rights is to be made in accordance with an agreement or bill of sale which is to be executed provided the approval of the Railroad Commission is secured to the proposed transfer, a copy of such proposed agreement being attached to the application in this proceeding and marked exhibit "A".

The operative rights proposed to be transferred are those formerly acquired by A. C. McVey by purchase by Ed. Richey, Richey having been the operator of the lines in question 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 oper-

ators 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 a route operated.

We are of the opinion that this is not a matter in which a public hearing is necessary and that the application should be granted,

IT IS HEREBY ORDERED that this application be and the same hereby is granted subject to the following conditions:

1 - Applicant, A. C. McVoy, will immediately cancel, in accordance with the provisions of General Order No. 51 and other regulations of this Commission, all tariffs and time schedules now lawfully on file with the Railroad Commission.

2 - Applicant, W. R. Miles, will immediately file with the Railroad Commission tariffs and time schedules in his own name or adopt as his own the tariffs and time schedules, as filed in the name of A. C. McVoy, the rates of fare for the transportation of property to be the same as those heretofore of record and as filed by A. C. McVoy.

3 - The rights and privileges covered by this authorization of transfer may not hereafter be transferred nor assigned unless the written consent of the Railroad Commission to such transfer or assignment has first been secured.

4 - No equipment shall be operated over the route for which authorization of transfer is hereby made unless such equipment is owned by the applicant, W. R. Miles, or is leased by such applicant on a contract or agreement on a basis satisfactory to the Railroad Commission.

Dated at San Francisco, California, this 28th day of November, 1919.

Edwin O. Edgerton
H. H. Loveland

H. A. Prundige
Dwight Martin

Commissioners.