

ORIGINAL

Decision No. 6970.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

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In the Matter of the Application of MERLE KRAMER and G. R. CARPENTER for permission of present operator to sell and transfer and purchaser to purchase, acquire and hereafter operate automobiles, automobile trucks or automobile stages for the transportation of passengers, baggage and express between the City of Monterey, and the City of Salinas, and intermediate points.

Application No. 5091.

BY THE COMMISSION:

O R D E R

Merle Kramer and G. R. Carpenter have petitioned the Railroad Commission for an order approving the sale and transfer of the right to operate a certain automobile stage line for the transportation of passengers, baggage and express between the City of Monterey and the City of Salinas, such line having heretofore been operated by applicant, Kramer, and now proposed to be sold, transferred and hereafter operated by applicant, Carpenter.

The rights and privileges for which authority to transfer is sought are those heretofore acquired by applicant, Merle Kramer, by reason of operation prior to May 1, 1917, which was the date recognized by the legislature as that upon which operators in good faith were not required to secure a certificate of public necessity and convenience from the Railroad Commission nor permits from the governing bodies of the various political subdivisions through which a route passed.

The proposed transfer is to be made in accordance with the conditions of an agreement or bill of sale, a copy of said agreement being attached to the application in this proceeding and marked exhibit "A".

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 subject to the conditions in the following order.

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

- I - Applicant, Merle Kramer, will be required to immediately cancel all time schedules and tariffs now on file with the Railroad Commission, such cancellation to be made in accordance with the provisions of General Order No. 51 and other regulations of this Commission.
- II - Applicant, G. B. Carpenter, will be required to file tariffs and schedules in his own name or to adopt as his own schedules and tariffs as heretofore filed by Merle Kramer, all rates to be in accordance with rates heretofore filed by applicant, Merle Kramer.
- III- The rights and privileges, transfer of which are hereby authorized, may not again be transferred, nor assigned unless the written consent of the Railroad Commission to such transfer or assignment has first been procured.

IV - No vehicle may be operated by applicant,  
G. R. Carpenter, under the authority conveyed  
by this order unless such vehicle is owned by  
said applicant or is leased by him under a  
contract or agreement on a basis satisfactory  
to the Railroad Commission.

Dated at San Francisco, California, this 9<sup>th</sup> day of December,  
1919.

Edwin O. Edgerton  
H. D. Loveland  
Frank R. White  
Quincy M. ...

Commissioners.