

Decision No. 7245

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BEFORE THE RAILROAD COMMISSION OF THE STATE OF CAL.

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In the Matter of the Application of M. C. Rutherford to sell and transfer his one-half interest in automobile stage line operating between Los Angeles and Downey and intermediate points, and application of A. H. Varro to purchase one-half interest in aforementioned stage line and to be permitted to operate between said points.

APPLICATION NO. 5373

By the Commission:

ORDER

M. C. Rutherford and A. H. Varro have applied to the Railroad Commission for an order authorizing the sale and transfer of an automobile line operating under the fictitious name of Liberty Stage line as a common carrier of passengers, baggage and packages from applicant M. C. Rutherford to applicant A. H. Varro.

The proposed sale and transfer is to be made in accordance with a bill of sale between the applicants herein, a copy of which is attached to application in this proceeding.

The rights and privileges proposed to be transferred are those authorized by a certificate of public convenience and necessity granted by the Railroad Commission in its Decision No. 5634 on Application No. 3763, decided July 26, 1918.

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 this application be and the same hereby is granted, subject to the following conditions:

1- Applicant, M. C. Rutherford, will be required to immediately cancel all tariffs and time schedules filed with the Railroad Commission, and such cancellation to be in accordance with the provisions of General Order No. 51 and other regulations of the Railroad Commission.

2- Applicant, A. H. Varro, will be required to file in his own name tariffs and time schedules or to adopt as his own the tariffs and time schedules heretofore filed with the Railroad Commission by applicant, M. C. Rutherford, all tariff filings to contain rates in accordance with those heretofore filed with the Railroad Commission by applicant, C. M. Rutherford.

3- The rights and privileges, transfer of which are hereby authorized, may not again be transferred or assigned unless the written consent of the Railroad Commission to such transfer or assignment has first been secured.

4- No vehicle may be operated under this authorization of transfer by applicant, A. H. Varro, unless such vehicle is owned by such 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 11th day of March, 1920.

H. A. Leonard
Frank R. ...
H. A. ...
Jessie ...
COMMISSIONERS.