

Decision No. 8025.

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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In the Matter of the Application of)
A. W. FULLER and EARL E. FOWLER for)
an order granting permission to sell)
and transfer all rights, title and)
interest in Auto Truck Line, operating)
between Los Angeles, Clearwater, Hynes,)
Cypress and intermediate points, to)
Francis E. and Merton E. Penhall, co-)
partners; and for permission to dis-)
continue service and application of)
Francis E. and Merton E. Penhall for)
an order granting permission to pur-)
chase and operate such auto truck line)
thereafter.)
: Application No. 6038
:
)

BY THE COMMISSION:

ORDER

A. W. Fuller and Earl E. Fowler and Francis E. and Merton E. Penhall have applied to the Railroad Commission for an order authorizing the sale and transfer of an auto truck line as a common carrier of milk and dairy products between Los Angeles, and Clearwater, Hynes, Cypress and intermediate points from applicants A. W. Fuller and Earl E. Fowler, to Francis E. and Merton E. Penhall, co-partners.

The conditions under which the proposed transfer is to be made are incorporated in the application in this proceeding and the rights now held by applicants A. W. Fuller and Earl E. Fowler, are those authorized by a certificate of public

convenience and necessity granted by the Railroad Commission in its Decision No. 7224 on Application No. 5359, decided March 8, 1920.

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. That applicants A. W. Fuller and Earl E. Fowler, will be required immediately to cancel all tariffs and time schedules filed with the Railroad Commission, such cancellation to be in accordance with the provisions of General Order No. 51, and other regulations of the Railroad Commission.

2. Applicants Francis E. and Merton E. Penhall will be required to file in their own names tariffs and time schedule or to adopt as their own the tariff and time schedule heretofore filed with the Railroad Commission by applicants, A. W. Fuller and Earl E. Fowler, all tariff filings to contain rates in accordance with those heretofore filed with the Railroad Commission by applicants A. W. Fuller and Earl E. Fowler.

3. The rights and privileges, transfer of which are hereby authorized, may not again be leased, discontinued, sold, transferred nor assigned unless the written consent of the Railroad Commission to such lease, discontinuance, sale, transfer or assignment has first been secured.

4. That no vehicle may be operated by the applicants Francis E. and Merton E. Penhall, unless such vehicle is owned by said applicants or is leased by them under a contract or agreement on a basis satisfactory to the Railroad Commission.

Dated at San Francisco, California, this 27th day of August, 1920.

Edwin G. Egan
H. D. Tolson
Frank B. Rowland
H. C. Lundege

Commissioners