

Decision No. 8109

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of)
Bay Cities Transportation Company.)
a corporation, for authority to sell)
and transfer operative rights in)
automotive freight service between)
Alviso, and San Jose, Palo Alto,)
Mt. Eden, Decoto and intermediate)
points, to E. V. Rideout Company, a)
corporation.)

APPLICATION NO. 6099.

BY THE COMMISSION:

O R D E R

Bay Cities Transportation Company, a corporation, and E. V. Rideout Company, a corporation, have made application petitioning the Railroad Commission for authority to sell and transfer certain operative rights for the conduct of an automotive freight service between Alviso, and San Jose, Palo Alto, Mt. Eden, Decoto and intermediate points, the applicant, Bay Cities Transportation Company, a corporation, desiring to sell, and E. V. Rideout Company, a corporation, desiring to purchase, acquire and hereafter operate said service. The operative rights herein sought to transfer are those acquired by the applicant, Bay Cities Transportation Company, a corporation, by this Commission's Decision No. 7486, April 24, 1920, on Application No. 5453.

Transfer of the rights and privileges herein authorized is to be made in accordance with an agreement which is a part of the application in this proceeding.

The Commission is 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 is hereby granted, subject to the following conditions:

1st- That the applicant, Bay Cities Transportation Company, a corporation, and E. V. Rideout Company, a corporation, will within twenty (20) days from the date hereof file with the Railroad Commission a written acceptance of this order, subject to the conditions imposed herein.

2nd- That the applicant, Bay Cities Transportation Company, a corporation, will be required to cancel its tariff of fares and time schedule, on file with the Railroad Commission, in accordance with General Order No. 51 and other regulations of the Railroad Commission.

3rd- That the applicant, E. V. Rideout Company, a corporation, will be required to immediately file with the Railroad Commission its tariff of fares and time schedule, in duplicate, or will adopt as its own the tariff and time schedule heretofore filed by applicant, Bay Cities Transportation Company, a corporation, such fares, charges and time schedule to be identical with those heretofore filed by the applicant, Bay Cities Transportation Company, a corporation.

4th- The rights and privileges of transfer hereby authorized may not again be transferred, leased, sold, discontinued nor assigned unless the written consent of the Railroad Commission

to such transfer, lease, sale, discontinuance or assignment has first been secured.

5th- No vehicle may be operated by the applicant, E. V. Rideout Company, a corporation, unless such vehicle is owned by it or is leased by it for a specified amount on a trip or term basis, the leasing of equipment not to include the services of a driver or operator. All employment of drivers or operators of leased cars shall be made on the basis of a contract by which the driver or operator shall bear the relation of an employee to the transportation company by whom such driver or operator is engaged.

Dated at San Francisco, California, this 16th day of September, 1920.

H. D. Loveland
Frank D. W. W.
H. D. W.
W. M. Martin
Commissioners.