

**ORIGINAL**

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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In the Matter of the APPLICATION OF )  
 O. R. FULLER, to sell and of MOTOR )  
 TRANSIT COMPANY, a Corporation, to : Application No. 6298  
 purchase and exercise certain auto- )  
 mobile stage line franchise rights. )

BY THE COMMISSION.

ORDER

O. R. FULLER and MOTOR TRANSIT COMPANY, a Corporation, have petitioned the Railroad Commission for authority to sell and transfer certain operative rights and privileges for the conduct of an automobile passenger service as a common carrier of passengers between Los Angeles and San Diego over routes hereafter described. The applicant, O. R. Fuller, desiring to sell, and the applicant, Motor Transit Company, a corporation, desiring to purchase and hereafter operate said service.

The rights and privileges herein sought to be transferred are those acquired by applicant, O. R. Fuller from the A.R.G. Bus Company by reason of a certificate of transfer having been granted by the Railroad Commission in its Decision No. 7082, Application No. 5290, rendered February 5, 1920, and Supplemental Order in Decision No. 7720, Application No. 5504 decided June 16, 1920.

The transfer of the rights and privileges herein proposed are to be made in accordance with an agreement marked Exhibit "A" and made a part of the application in the proceeding,

1.

setting forth \$45,000.00 as the amount to be paid for equipment and personal property, consisting in part of the following equipment: three 20-passenger White Trucks, One -20 passenger Rec Truck, with parts, accessories and supplies. Furniture and office supplies, etc., at offices in Los Angeles, Whittier, Anaheim and San Diego. Real Estate, leases on depots etc., rent deposits, permanent improvements to depots, leasehold interests, and equities and rights under lease car contracts.

The sum of \$45,000.00 to be paid by the Motor Transit Company is the exact amount paid by O. R. Fuller for this property when purchased by him from the A.R.C. Bus Company as per our Decision No. 7082 in Application No. 5290, February 5, 1920, (supra).

The Commission does not herein pass upon the values of the properties involved in this proceeding nor may the purchase price be considered as a basis for rate making purposes.

The route and operative rights thereover, for which approval of transfer is sought, are as follows:

From the City of Los Angeles via the Whittier Road, Montebello, Whittier (Point on State Highway), Fullerton, Anaheim, Santa Ana; and from the City of Los Angeles via the Telegraph Road, and via Norwalk, La Mirada, Buena Park and Anaheim, thence to Santa Ana, in which latter city each of the two said routes converge and thence over said route, to-wit: The Coast Highway to Tustin, Irvine, San Juan Capistrano, Oceanside, Del Mar, La Jolla, and thence into the City of San Diego.

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 the amount paid for the purchase of this property shall not be considered as a measure of value of said property before this Commission or any other authority for rate fixing or any other purpose other than the transfer herein referred to.

2. THAT the applicant, O. R. Fuller, will be requested to immediately cancel all tariffs and time schedules now filed with the Railroad Commission, such cancellation to be made in accordance with provisions of General Order No. 51, and other regulations of the Railroad Commission.

3. THAT applicant, Motor Transit Company, a Corporation, will be required to immediately file tariffs and schedules in its own name, or to adopt as its own, the tariffs and time schedules as heretofore filed with the Railroad Commission by applicant, O. R. Fuller, all fares to be identical with those filed by applicant, O. R. Fuller.

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

5. No vehicle may be operated by the Company unless such vehicle is owned by the Company or is leased by the Company 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.

Dated at San Francisco, California, this 27<sup>th</sup> day of November, 1920.

Edwin G. Edgerton  
J. D. [unclear]  
Frank [unclear]  
H. K. [unclear]  
Erving Martin  
Commissioners