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Decision No. 8421

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BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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In the Matter of the Application of)
G. C. REDFERN to sell and of CARL)
S. PAINTER, to purchase an automobile : Application No. 6269
freight and express line between Dos)
Palos and South Dos Palos.)

BY THE COMMISSION.

O R D E R

G. C. Redfern and Carl S. Painter have petitioned the Railroad Commission for an order approving the sale and transfer of certain operative rights for the conduct of an automobile freight line as a common carrier of freight and express between Dos Palos and South Dos Palos, the applicant G. C. Redfern, desiring to sell and the applicant Carl S. Painter, desiring to purchase, acquire and hereafter operate said automobile truck line.

The rights and privileges proposed to be transferred are those claimed by applicant G. C. Redfern, by virtue of alleged operations prior to May 1, 1917.

Transfer of the rights and privileges is to be made in accordance with an agreement incorporated in the application in this proceeding, which specifies \$1500.00 as amount to be paid for equipment and \$1500.00 as amount to be paid for operative and franchise rights.

The Commission does not herein pass upon the value 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 herein sought is as follows: Between Dos Palos and South Dos Palos, over main traveled highway.

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 applicant, G. C. Redfern, will be immediately required to cancel tariff of rates and rules and regulations in accordance with provisions of General Order No. 51 and other regulations of the Railroad Commission.
3. That the applicant, Carl S. Painter will be immediately required to file his tariff of rates and rules and regulations, or to adopt as his own the tariff heretofore filed by the applicant G. C. Redfern, such rates to be identical with those now on file with the Railroad Commission by G. C. Redfern. Such tariff or adoption must be in accordance with General Order No. 51 of the Railroad Commission.
4. The rights and privileges, transfer of which is hereby authorized, must 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. That no vehicle may be operated by the applicant, Carl S. Painter, unless such vehicle is owned by him or is leased by him for a specified amount on a trip or term basis. The leasing of such 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 five

day of December, 1920.

H. D. Loveland
Frank Palmer
David M. Carter

Commissioners