

Decision No. 8429

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application)
of Carl C. Allen and D. Moyers)
for permission to transfer oper-)
ative rights and privileges in)
automotive passenger stage line.)

APPLICATION NO. 6253.

BY THE COMMISSION:

O R D E R

Carl C. Allen and D. Moyers have petitioned the Railroad Commission for authority to sell and transfer operative rights in automotive passenger stage lines between Fresno and Firebaugh; Firebaugh and North Dos Palos and Dos Palos and Los Banos, applicant, Carl C. Allen, desiring to sell and applicant, D. Moyers, desiring to purchase, acquire and hereafter operate said stage lines.

The rights and privileges herein proposed to be transferred are those acquired by Allen and Moyers under this Commission's Decision No. 7249, March 11, 1920, Application No. 4956, to operate between Los Banos and Dos Palos; Decision No. 8017, August 27, 1920, Application No. 4673, to operate between Dos Palos and Firebaugh, and Decision No. 8017, August 27, 1920, Application No. 4571, to operate between Firebaugh and Fresno.

Transfer of the operative rights herein authorized is to be made in accordance with an agreement accompanying 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 applicants, Carl C. Allen and D. Moyers will, within twenty (20) days from the date hereof file with the Railroad Commission a written acceptance of the order in this proceeding, subject to the conditions imposed herein.

2nd- That the applicants, Carl C. Allen and D. Moyers will be required to cancel their 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, D. Moyers, will be required to immediately file with the Railroad Commission a tariff of fares and a time schedule, or will adopt as his own the tariff and time schedule heretofore filed by applicants, Allen and Moyers, such fares and time schedule to be identical with those heretofore filed by the applicants, Allen and Moyers.

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

5th- No vehicle may be operated by the applicant, D. Moyers, 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 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.

The purchase price shown in this proceeding shall at no time be considered as a measure of value of said property before this Commission or any other regulatory body for rate fixing or any other purpose than the transfer herein referred to.

Dated at San Francisco, California, this 8th day of December, 1920.

H. J. Loveland
John R. Kelly
Erving Mastai
Commissioners.