

Decision No. 8450

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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In the Matter of the Application)
of C. M. BLABON and JOSEPH HELD)
for the approval of a certain : Application No. 6377
agreement.)

BY THE COMMISSION.

ORDER

C. M. Blabon and Joseph Held have petitioned the Railroad Commission for an order approving the sale and transfer of certain operative rights for the conduct of an automobile stage line as a common carrier of passengers between Oakland and San Jose and intermediate points, the applicant, C. M. Blabon, desiring to sell, and the applicant, Joseph Held desiring to purchase, acquire and hereafter operate said automobile passenger service.

The rights and privileges, transfer of which is hereby authorized, are those claimed by applicant, C. M. Blabon, by virtue of alleged operations prior to May 1st, 1917.

Transfer of the rights and privileges is to be made in accordance with an agreement attached to and made a part of the application in this proceeding, setting forth the sum of Seven Thousand Five Hundred Dollars (\$7,500.00) as amount to be paid for operative rights, good will and personal property.

The Commission does not herein pass upon the value of the property 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, is as follows: Over the public highway between Oakland and San Jose, serving the intermediate towns and places as follows: Hayward, Villa Vista, Decota Jct., Masonic Home; Niles, Santos Road, Centerville, Irvington, Forks of Road, Warm Springs, County Line, Milpitas, Wayne and San Jose.

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 DECLARED 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, C. M. Blabon will be immediately required to cancel tariff of rates in accordance with provisions of General Order No. 51 and other regulations of the Railroad Commission.

3. That applicant Joseph Held will be immediately required to file his tariff of rates or to adopt as his own the tariff heretofore filed by the applicant C. M. Blabon, such rates to be identical with those now on file with the Railroad Commission by C. M. Blabon, such tariff or adoption must be in accordance with Rule 13 of General Order No. 51, of the Railroad Commission.

4. That the rights and privileges, transfer of which is hereby authorized, must not again 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 applicant, Joseph Held 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.

Dated at San Francisco, California, this 30th day of December, 1920.

Edwin O. Egan
H. D. Davidson

H. K. Anderson
Dwight Martin
Commissioners