

PE

Decision No. 8502

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
LEE ROSIER for an order granting)
permission to sell and transfer his)
right, title and interest in auto-)
mobile baggage and express line)
operating between Los Angeles, Santa)
Monica and Venice to W. C. Manley,)
and for permission to discontinue)
his service.)

and

Application of W. C. Manley for an)
order granting permission to pur-)
chase and operate said auto truck)
line thereafter.)

Application No. 6437

ORIGINAL

BY THE COMMISSION.

ORDER

Lee Rosier and W. C. Manley have petitioned the Railroad Commission for an order approving the sale and transfer of certain operative rights and privileges for the conduct of an automobile baggage and express service between Los Angeles and Santa Monica and Venice, California, the applicant, Lee Rosier, desiring to sell, and the applicant, W. C. Manley, desiring to purchase, acquire and hereafter operate said service.

The rights and privileges, transfer of which is hereby authorized, are those acquired by applicant, Lee Rosier, by reason of certificate of transfer having been granted by the Railroad Commission in its Decision No. 8329, on application No. 6245, decided November 15, 1920.

Transfer of the rights and priveleges is to be made in accordance with a memorandum incorporated in the application in this proceeding, setting forth the sum of Eight Hundred (\$800.00) Dollars as the price to be paid for operative rights.

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.

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 the application be, and the same hereby is, granted, subject to the following conditions:

1. That the amount paid for the purchase of the property shall not be considered as a measure of value of said property before this Commission, nor any other authority, for rate fixing or any other purpose other than the transfer herein referred to.
2. That the applicant, Lee Rosier, will be required to immediately cancel all tariffs and time schedules now on file with the Railroad Commission. Such cancellation to be in accordance with the provisions of General Order No. 51, and other regulations of the Railroad Commission.
3. That applicant, W. C. Manley, will be required to immediately file tariffs and time schedules in his own name, or to adopt as his own the tariff and time schedule as heretofore filed with the Railroad Commission by applicant, Lee Rosier, all fares to be identical with those filed by applicant, Lee Rosier.

4. The rights and priveleges of transfer which are hereby authorized, may 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, W. C. Manley unless such vehicle is owned by him or is leased by him for a specified amount on a trip or term basis, the lessing 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 3rd
day of March 1921.

H. D. Leonard
Frank W. W. W.
H. B. W. W.
Commissioners.