

Decision No. 5528

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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ORIGINAL

In the Matter of the Application of)
 E. J. CADRETT for an order granting)
 permission to sell and transfer all)
 his right, title and interest in)
 auto stage line operating between)
 Modesto and La Grange to B. L.)
 Halverson, and for permission to)
 discontinue his service.)
 and)
 application of B. L. Halverson, for)
 an order granting permission to)
 purchase said right, title and interest)
 and for permission to operate same)
 thereafter.)
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)

Application No. 6468

BY THE COMMISSION

O R D E R

E. J. Cadrett and B. L. Halverson 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, baggage and express between Modesto and La Grange and intermediate points, over route hereinafter described,- the applicant, E. J. Cadrett desiring to sell and the applicant, B. L. Halverson, desiring to purchase, acquire and hereafter operate said automobile stage line.

The rights and privileges proposed to be transferred are those acquired by applicant E. J. Cadrett by reason of a certificate of transfer granted by the Railroad Commission in Decision No. 7795 Application No. 5162, rendered June 24, 1920, and authorizing operation over the following route and through the following places.

- 1.

Commencing at Modesto, thence over County Road through Empire, Halfway house, New Hope, Hindman's Ranch, Waterford, Dallas Ferry, Roberts Ferry, Bassos and La Grange.

Transfer of the rights and privileges is to be made in accordance with a bill of sale attached to and made a part of the application in this proceeding, which specifies the sum of Three Hundred and Seventy-five Dollars (\$375.00) as amount to be paid for operative rights, one automobile, etc.

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 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, E. J. Cadrett, will be required to immediately cancel all tariffs and time schedules now filed 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 B. L. Halverson 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, E. J. Cadrett, all fares to be identical with those filed by applicant, E. J. Cadrett.

4. The rights and privileges 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, B. L. Halverson 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 8th
day of January, 1921.

W. S. Hayward
Frank R. Smith
H. R. Bondage

Commissioners.