

Decision No. 8532

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application
of L. A. BELL for an order grant-
ing permission to transfer his
one-half interest in right and
title to operate auto truck serv-
ice, including equipment, to his
co-partner, L. W. BARLOW, and for
permission to discontinue his serv-
ice,

ORIGINAL

Application No. 6456

and

Application of L. W. BARLOW for an
order granting permission to pur-
chase the one-half interest in said
auto line now owned by L. A. BELL,
and for permission to operate same
thereafter.

BY THE COMMISSION.

ORDER

L. A. Bell and L. W. Barlow, under date of January 3, 1921, have petitioned the Railroad Commission for an order approving the sale and transfer of the operative rights of an automobile truck line operating as a common carrier of freight between Los Angeles, Alhambra, San Gabriel and Arcadia, and intermediate points; L. A. Bell desiring to sell and transfer his one-half interest in such truck line, and applicant, L. W. Barlow, desiring to purchase and acquire the one-half interest in the ownership of said truck line.

The rights and privileges, transfer of which is hereby authorized, are those acquired by applicants, L. A. Bell and L. W. Barlow, by reason of certificate of transfer having been

granted by the Railroad Commission in its Decision No. 7044 on Application No. 5252, rendered February 17, 1920.

Transfer of the rights and privileges is to be made in accordance with an agreement incorporated in the application in this proceeding, setting forth the sum of Five Thousand Dollars, (\$5,000.00) to be paid for equipment and operative rights.

The route and operative rights thereover, for which approval of transfer is sought, is as follows:

Commencing at Los Angeles, thence to Alhambra, San Gabriel, East San Gabriel and Arcadia.

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, excepting that no express order of the Commission is required to authorize L. A. Bell to discontinue his service, as prayed for, in view of the other provisions of this order.

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, or any other authority, for rate fixing or any other purpose other than the transfer herein referred to.
2. That the applicants, L. A. Bell and L. W. Barlow, 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, L. W. Barlow, 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 applicants, L. A. Bell and L. W. Barlow, all fares to be identical with those filed by applicants, L. A. Bell and L. W. Barlow.
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, L. W. Barlow, 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 10th day
of January, 1921.

H. S. Loveland
Frank P. Blum
Orin J. Martin
Commissioners.