

Decision No. 8584

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

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In the Matter of the application of)
CARL S. PAINTER to sell and of :
ALBERT AHLMAN to buy one-half in-)
terest in an automobile passenger, :
freight and express line operating)
between Dos Palos and South Dos :
Palos.)

Application No. 6505.

ORIGINAL

BY THE COMMISSION:

O R D E R

Carl S. Painter and Albert Ahlman under date of January 21, 1921 have petitioned the Railroad Commission for an order approving the sale and transfer of the operative rights of an automobile passenger, freight and express line operating as a common carrier of passengers, freight and express between Dos Palos and South Dos Palos, applicant Carl S. Painter, desiring to sell and transfer a one-half interest in such stage line, and applicant Albert Ahlman desiring to purchase and acquire a one-half interest in the ownership and operation of said stage line.

The rights and privileges, transfer of which is hereby authorized, are those acquired by applicant, Carl S. Painter, by reason of certificate of transfer granted by the Railroad Commission in its Decision No. 7041, on application No. 5244, rendered January 17, 1920, and Decision No. 8421, on application No. 6269, rendered December 8, 1920.

Transfer of the rights and privileges is to be made in accordance with a Bill of Sale copy of which is attached to and made a part of the application in this proceeding, which specifies Four-Thousand (\$4,000.00) Dollars as the amount paid for an undivided one-half interest in above stage. Two-Thousand (\$2,000.00) Dollars of which is for equipment, and Two-Thousand (\$2,000.00) is 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, or any other authority, for rate fixing or any other purpose other than the transfer herein referred to.
2. That the applicant, Carl S. Painter, will be required to immediately cancell 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 applicants, Carl S. Painter and Albert Ahlman will be required to immediately file tariffs and time schedules in their own names, or to adopt as their own the tariff and time schedule as heretofore

filed with the Railroad Commission by applicant Carl S. Painter, all fares to be identical with those filed by applicant Carl S. Painter.

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 applicants Carl S. Painter and Albert Ahlman unless such vehicle is owned by them or is leased by them 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 26th day of January, 1921.

H. L. Leonard
Frank R. DeWitt
H. C. Brundage
Dwight Martin
Commissioners.