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Decision No. 8646

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of)	
W. E. CURRAN, doing business under)	
the name of TRIMMER SPRINGS STAGE)	
AND TRANSPORTATION COMPANY, for per-)	
mission to sell and transfer the)	Application No. 6549.
permit and franchise of Trimmer)	
Springs Stage and Transportation)	
Company, heretofore granted by order)	
and Decision No. 7791, to Kings River)	
Transportation Company.)	

BY THE COMMISSION.

O R D E R

W. E. Curran, doing business under the name of Trimmer Springs Stage and Transportation Company, and J. Scott, doing business under the name of Kings River Transportation Company, have under date of February 14, 1921, petitioned the Railroad Commission for an order approving the sale and transfer of certain operative rights and privileges for the conduct of an automobile passenger and baggage service between Sanger and Junction Camp, and intermediate points, the applicant, W. E. Curran, desiring to sell, and the applicant, J. Scott, desiring to purchase, acquire and hereafter operate said service.

The rights and privileges, the transfer of which is hereby authorized, are those acquired by applicant, W. E. Curran, by reason of certificate of public convenience and necessity having been granted by the Railroad Commission in its Decision No. 7791, on Application No. 4796, rendered June 24, 1920.

Transfer of the rights and privileges is to be made in accordance with an agreement incorporated in the application in this proceeding which sets forth the sum of seven hundred and fifty dollars (\$750.00) as the amount to be paid for opera-

tive rights, there being no equipment involved.

The route and operative rights thereover, for which approval of transfer is granted, is as follows: From Sanger, over the public road, to Pine Flat, thence to Trimmer Springs and thence to Junction Camp.

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 purpose other than the transfer herein referred to.
2. That the applicant, W. E. Curran, 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, J. Scott, 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, W. E. Curran, all fares to be identical with those filed by applicant, W. E. Curran.

4. The rights and privileges of transfer which are hereby authorized may not 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, J. Scott 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 21st day
of February, 1921.

A. B. Loveland
Frank H. H. H.
H. P. P. P.
George W. W. W.
Chas. H. H. H.
Commissioners.