

Decision No. 8647

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of)
 GUY E. HEATON, operating under the)
 name of the Chico-Hamilton Stage)
 Line, to sell and transfer all his) Application No. 6551.
 right, title and interest therein)
 to J. R. LANGILLE.)

BY THE COMMISSION.

ORDER

Guy E. Heaton, operating under the name of the Chico-Hamilton Stage Line, and J. R. Langille have, under date of February 14, 1921, petitioned the Railroad Commission for an order approving the sale and transfer of certain operative rights for the conduct of an automobile passenger service as a common carrier of passengers between Chico and Hamilton City, the applicant, Guy E. Heaton, desiring to sell and applicant, J. R. Langille, 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, Guy E. Heaton, by reason of alleged operations prior to May 1, 1917, being the date upon which operators in good faith were ^{not} required to procure a certificate of public convenience and necessity from the Railroad Commission.

Transfer of the rights and privileges is to be made in accordance with a bill of sale, certified copy of which is attached to and made a part of the application in this proceeding, setting forth the sum of one thousand and fifty dollars (\$1050.00) as the amount to be paid for operative rights and

equipment, consisting of one seven-passenger Hudson Touring automobile.

This 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 is hereby 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, Guy E. Heaton, 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. R. Langille, will be required to immediately file tariffs and time schedules in his own name, or to adopt as his own the tariffs and time schedules heretofore filed with the Railroad Commission by applicant, Guy E. Heaton, all fares to be identical with those filed by applicant, Guy E. Heaton.

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. R. Langille, 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 service 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.

H. W. Lovelock
Frank R. Linn
H. A. Bundege
James Martin
Robert H. Howell
Commissioners.