

PE

Decision No. 7698

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of C. A. CHAMBERS operating under the fictitious name of BURBANK TRANSFER COMPANY, for an order granting permission to transfer and sell all his right, title and interest in Auto Truck Freight Transportation line operating between Burbank and Los Angeles, and for permission to discontinue said service;

and

Application of F. A. MULLENS for an Order granting permission to purchase and operate said auto truck freight line thereafter.

ORIGINAL

Application No. 6591

BY THE COMMISSION.

ORDER

C. A. Chambers, operating under the fictitious name of Burbank Transfer Company, and F. A. Mullens, have, under date of February 28, 1921, petitioned the Railroad Commission for an order approving the sale and transfer of certain operative rights and priveleges for the conduct of an automobile freight line between Los Angeles and Burbank via Glendale, the applicant C. A. Chambers, desiring to sell, and the applicant F. A. Mullens desiring to purchase, acquire and hereafter operate said service.

The rights and priveleges proposed to be transferred are those acquired by applicant C. A. Chambers, by reason of certificate of public convenience and necessity granted by the Railroad Commission in Decision No. 7491, Application No. 4499, decided

April 26, 1920.

Transfer of the rights and privileges is to be made in accordance with an agreement attached to and made a part of the application in the proceeding, which sets forth Twenty Nine Hundred (\$2900.00) Dollars as total amount to be paid for the business.

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, C. A. Chambers, will be required to immediately cancel all tariffs and time schedules now on file 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, F. A. Mullens, 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 heretofore filed with the Railroad Commission by applicant C. A. Chambers, all fares to be identical with those filed by applicant C. A. Chambers.

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, F. A. Mullens, 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 4th day
of March, 1921.

Frank D. Miller

H. J. Loveland

W. B. Dunning

Walter H. Howe

Commissioners.