

Decision No. 8700

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the matter of the application of Sidney B. Bradley to sell all of his right, title and interest in auto stage line operating between Oceanside and Pala, to Hugh Bradley.)

Application No. 6594.

BY THE COMMISSION

ORIGINAL

ORDER

Sidney B. Bradley and Hugh Bradley have, under date of February 28, 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 service between Oceanside and Pala and intermediate points, the applicant, Sidney B. Bradley, desiring to sell, and the applicant, Hugh Bradley, desiring to purchase, acquire and hereafter operate said service.

The rights and privileges, transfer of which is hereby authorized, are those acquired by applicant, Sidney B. Bradley, by reason of alleged operations prior to May 1, 1917, date established by the state legislature as that upon which operators in good faith were not required to procure certificate of public convenience and necessity.

Transfer of the rights and privileges is to be made in accordance with an agreement made a part of the application in this proceeding, setting forth the sum of Four Hundred and Fifty (\$450.00) Dollars as amount to be paid for equipment, etc.

The route proposed to be transferred, is as follows: Commencing at Oceanside, thence to and through San Luis Rey, thence to and through Bonsall and thence into Pala.

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 than the transfer herein referred to.
2. That the applicant, Sidney B. Bradley, 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, Hugh Bradley, 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, Sidney B. Bradley, all fares to be identical with those filed by applicant, Sidney B. Bradley.
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, Hugh Bradley, 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. [unclear]
A. D. [unclear]
H. N. [unclear]
Charles H. [unclear]

Commissioners.