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Decision No. 8727

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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**ORIGINAL**

In the Matter of the Application of )  
 H. A. CHAFFEE, doing business under the )  
 fictitious name of Compton Truck Com- )  
 pany, for an order granting permission )  
 to sell and transfer his right, title )  
 and interest in certain automobile )  
 freight and express line operating )  
 between Los Angeles and Compton, Calif- )  
 ornia, to Bohumil, Cuchna and H. A. )  
 Lavezzi, and for permission to discontinue )  
 his service, :

) Application No. 6605

and

Application of BOHUMIL, CUCHNA, and )  
 H. A. LAVEZZI for an order granting )  
 permission to purchase and operate said )  
 auto truck line thereafter. :

BY THE COMMISSION.

ORDER

H. A. Chaffee, operating under the name of Compton Truck Company, and Bohumil, Cuchna and H. A. Lavezzi, have, under date of March 2nd, 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 freight line as a common carrier of freight between Los Angeles and Compton and intermediate points, the applicant, H. A. Chaffee desiring to sell, and the applicants, Bohumil, Cuchna and H. A. Lavezzi desiring to purchase, acquire and hereafter operate said service.

The rights and privileges, transfer of which is hereby authorized, are those acquired by applicant, H. A. Chaffee, by reason of certificate of public convenience and necessity having been

granted by the Railroad Commission in its Decision No. 6190, on application No. 4226, decided March 12, 1919.

Transfer of the rights and privileges is to be made in accordance with a memorandum incorporated in and made a part of the application in this proceeding, setting forth the sum of Three Hundred (\$300.00) dollars to be paid for operative rights. Applicants own their own equipment which will be placed on this route.

The route and operative rights thereover for which certificate is herein granted is as follows: Commencing at Los Angeles, thence to Lynwood, thence to Watts and thence to Compton .

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, H. A. Chaffee, 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 applicants Bohumil, Cuchma, and H. A. Lavezzi will be required to immediately file tariffs and time schedules in their own name, or to adopt as their own the tariff and time schedule as heretofore filed with the Railroad

Commission by applicant, H. A. Chaffee,  
all fares to be identical with those  
filed by applicant, H. A. Chaffee.

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 applicants Bohumil, Cuckma, and E. A. Iavezzi, 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 10<sup>th</sup> day  
of March, 1921.

Frank P. Kelly

W. H. Anderson

Waring Martin

Charles H. Konec

Commissioners