

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the matter of the application of)
O. R. Fuller to sell, and Motor)
Transit Company, a corporation, to)
acquire and exercise, certain oper-)
ative rights for an automobile pas-)
senger stage line.)

Application No. 6545

ORIGINAL

BY THE COMMISSION

ORDER

O. R. Fuller, and Motor Transit Company, a corporation, have, under date of February 9, 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 as a common carrier of passengers between Los Angeles and Santa Ana, California, via Long Beach, the applicant, O. R. Fuller, desiring to sell, and the applicant, Motor Transit Company, desiring to purchase, acquire and hereafter operate said service.

The rights and privileges, transfer of which are hereby authorized, are those acquired by applicant, O. R. Fuller, by reason of certificate of public convenience and necessity having been granted by the Railroad Commission in its decision No. 8465, on application No. 5105, decided December 20, 1920.

Transfer of the rights and privileges is to be made in accordance with bill of sale, a copy of which is attached to and made a part of the application in this proceeding, which sets forth the sum of One Dollar (\$1.00) as the amount to be paid for operative rights.

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, O. R. Fuller, 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, Motor Transit Company, 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, O. R. Fuller, all fares to be identical with those filed by applicant, O. R. Fuller.
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, Motor Transit Company, 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 15th
day of March, 1921. .

Frank R. Deben

H. A. Loveland

Irving Martin

Commissioners.