

Decision No. 8758

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of FRED LUDEKINS, owner of auto truck line operating between Martinez and San Francisco and intermediate points, to sell and transfer one-half of his right, title and interest therein to C. D. Rasmussen.

and

Application of C. D. Rasmussen for an order granting permission to purchase one-half interest in the aforementioned truck line, and to be permitted to operate between said points.

RECEIVED
Application
No. 6604

BY THE COMMISSION.

O R D E R

Fred Ludkins and C. D. Rasmussen have, under date of March 12, 1921, made application to the Railroad Commission for an order approving the sale and transfer of the operative rights of an automobile truck line operating as a common carrier of freight between San Francisco and Martinez and intermediate points. The applicant, Fred Ludkins, desiring to sell and transfer a one-half interest in such truck line, and applicant, C. D. Rasmussen, desiring to purchase and acquire the one-half interest in the ownership of said truck line. The rights and privileges, transfer of which are hereby authorized, are those acquired by applicant, Fred Ludkins, by reason of certificate of public convenience and necessity having been granted by the Railroad Commission in its Decision No. 6919 on Application No. 6909, decided December 9, 1919.

Transfer of the rights and privileges is to be made in accordance with an agreement of sale incorporated in and made a part of the application in this proceeding, setting forth the sum of One Hundred (\$100.00) Dollars to be paid for the one-half interest in above truck line.

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, Fred Ludkins, 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, Fred Ludkins and C. E. Rasmussen, 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 heretofore filed with the Railroad Commission by applicant, Fred Ludkins, all fares to be identical with

those filed by applicant, Fred Indekins.

4. The rights and priveleges 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 applicants, Fred Indekins and C. D. Rasmussen, 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 17th day of March, 1921.

Frank R. DeWitt
H. Shoreland
Irving Martin

Commissioners.