

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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In the Matter of the Application of
ERNEST R. SPECKTER, for an order granting
permission to sell and transfer all his
right, title and interest in auto stage line
operating between Monte Rio and Santa Rosa
via Occidental, to A. P. NICOLETTE, and for
permission to discontinue his service.

and

Application of A. P. NICOLETTE for an order
granting permission to purchase all the
right, title and interest in said stage
line and for permission to operate same
thereafter.

ORIGINAL

Application
No. 6661

BY THE COMMISSION.

O R D E R

Ernest R. Specter and A. P. Nicolette have, under date of March 21, 1921, petitioned the Railroad Commission for an order approving the sale and transfer of certain operative rights for the conduct of an automobile stage line as a common carrier of passengers between Monte Rio and Santa Rosa via Occidental, over route hereinafter described: the applicant, Ernest R. Specter, desiring to sell, and the applicant, A. P. Nicolette desiring to purchase, acquire and hereafter operate said automobile stage line.

The rights and privileges proposed to be transferred, are those acquired by applicant, Ernest R. Specter, by reason of a certificate of public convenience and necessity granted by the Railroad Commission in Decision No. 8030, Application No. 5829, rendered August 27, 1920, which authorizes operation of applicant, Ernest R. Specter, between Santa Rosa and Monte Rio, serving as

intermediate Camp Meeker, Occidental, Freestone and Sebastopol, but not serving intermediate points between Santa Rosa and Sebastopol.

Transfer of the rights and privileges is to be made in accordance with bill of sale, copy of which is attached to the application in this proceeding, setting forth the sum of Ten (\$10) Dollars as amount to be paid for operative rights and equipment.

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, Ernest Speckter, 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, A. P. Nicolette, 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, Ernest R. Speckter, all fares to be identical with those filed by applicant, Ernest R. Speckter.

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, A. P. Nicolette, 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 28th day of March, 1921.

Frank R. Doherty

H. H. Holland

Irving Martin

Charles H. Russell
Commissioners.