

Decision No. 5822**ORIGINAL**

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application of )  
 F. L. BLANC to transfer all of his )  
 right, title and interest in auto )  
 truck line operating between ) Application No. 6567.  
 San Diego and Julian, and interme- )  
 diate points, to A. E. BLANC. )

BY THE COMMISSION:

ORDER

F. L. BLANC, doing business under the name of F. L. Blanc Freight Line, and A. E. BLANC have, under date of February 18, 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 service as a common carrier of freight between San Diego and Julian, the applicant F.L.Blanc, desiring to sell and the applicant A. E. Blanc, desiring to purchase, acquire and hereafter operate said truck line.

The rights and privileges, transfer of which is hereby authorized, are those acquired by applicant, F. L. Blanc, by reason of certificate of public convenience and necessity having been granted by the Railroad Commission in its Decision No. 7527 on Application No. 4222, decided May 3, 1920, which authorizes operative rights between San Diego and Julian only.

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, which sets forth ten (10) dollars as amount paid for equipment and 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 not a matter in which a public hearing is 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, F. L. Blanc, 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, A. E. Blanc, 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 F. L. Blanc, all fares to be identical with those filed by applicant F. L. Blanc.

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, A.E. Blanc, unless such vehicle is owned or 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 8<sup>th</sup> day  
of April, 1921.

Frank R. Doherty

H. Loveland

H. B. Brundage

Irving Martin

Charles H. Kneel

Commissioners.