

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of E. H. SPREHN, doing business under the fictitious name of SEAL BEACH AUTO DISPATCH, for an order granting permission to transfer and sell all his right, title and interest in auto truck freight transportation line operating between Los Angeles, Artesia, Los Alamitos, Seal Beach, Anaheim Landing, Westminster, Smeltzer, Wintersburg, Huntington Beach and intermediate points, and for permission to discontinue said service.

and

Application of James F. Nutty for an order granting permission to purchase and operate said auto truck freight transportation line thereafter.

Application  
No. 6711

ORIGINAL

BY THE COMMISSION.

ORDER

E. H. Sprehn, doing business under the fictitious name of Seal Beach Auto Dispatch, and James F. Nutty, have, under date of April 2, 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 transportation line, operating between Los Angeles and Artesia, Los Alamitos, Seal Beach, Anaheim Landing, Westminster, Smeltzer, Wintersburg, Huntington Beach and intermediate points, the applicant, E. H. Sprehn, desiring to sell and the applicant, James F. Nutty, desiring to purchase, acquire and hereafter operate said service.

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

been granted by the Railroad Commission in its Decision No. 7487 on Application No. 5187, decided April 26, 1920, and Decision No. 8038 on Application No. 5819, decided August 27, 1920.

Transfer of the rights and privileges is to be made in accordance with an agreement attached to and made a part of the application in this proceeding, setting forth the sum of Seven Hundred and Fifty (\$750.00) Dollars as amount to be paid for operative rights, good will, stationery, etc. No equipment is involved in this transaction.

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, E. H. Sprehn, 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, James F. Nutty, 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 Rail-

road Commission by applicant, E. H. Sprehn, all fares to be identical with those filed by applicant, E. H. Sprehn.

- ✓ 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, James F. Nutty, 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 12<sup>th</sup>  
day of April, 1921.

Frank A. Brown  
H. S. Loveland  
H. B. Baudino  
James M. Martin  
Commissioners.