

Decision No. 8851

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
H. PETERSON and WILLIAM W. ALLEN,
petitioning the Railroad Commission
of the State of California, for au-
thority to transfer operative rights
for conduct of Auto Passenger Service
between Albion and Fort Bragg and
intermediate points.

ORIGINAL

Application No. 6719

BY THE COMMISSION.

O R D E R

H. Peterson and William W. Allen have, under date of April 6, 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, baggage and package service between Albion and Fort Bragg and intermediate points, the applicant, H. Peterson, desiring to sell and the applicant, William W. Allen, desiring to purchase, acquire and hereafter operate said service.

The rights and privileges, transfer of which is hereby authorized, are those acquired by applicant, H. Peterson, by reason of alleged operations prior to May 1, 1917, date upon which operators in good faith were not required to procure certificate of public convenience and necessity from the Railroad Commission.

Transfer of the operative rights is to be made in accordance with a memorandum incorporated in the application in this

proceeding, which sets forth, the sum of Five Thousand (\$5,000.00) Dollars as amount to be paid for operative right and equipment consisting of one nine passenger Pierce Arrow automobile and one twelve passenger G.M.C. automobile.

The route and operative rights thereover herein transferred are as follows: Commencing at Albion, thence to Little River, thence to Mendocino, thence to Casper, thence to Noyo and thence to Fort Bragg. This route is to operate hereafter under the fictitious name of "The Coast Line Freight and Stage Company".

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 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, H. Peterson, 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, William W. Allen, will be required to immediately file tariffs and time schedules in his own name or to adopt as his own the tariff and time sched-

ule as heretofore filed with the Railroad Commission by applicant, H. Peterson, all fares to be identical with those filed by applicant, H. Peterson.

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, William W. Allen, 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 12th day of April, 1921.

Frank Owen
A. H. ...
H. B. ...
Quincy ...

Commissioners.