

Decision No. 8983

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application
of L. W. Barlow for an order grant-
ing permission to sell and transfer
all his right, title and interest,
including certain equipment in
automobile truck line operated between
Los Angeles, San Gabriel, Arcadia and
intermediate points, and for permission
to discontinue service,

And
Application of E. L. Barlow and J. L. Oldham,
copartners, for an order granting permission
to purchase and operate said automobile
truck line thereafter.

APPLICATION NO. 6800.

BY THE COMMISSION:

ORDER

L. W. Barlow, E. L. Barlow and J. L. Oldham
have applied to the Railroad Commission for an order authorizing
the sale and transfer of an automobile truck line, as a common
carrier of freight, between Los Angeles, San Gabriel, Arcadia and
intermediate points, the applicant, L. W. Barlow, desiring to sell,
and the applicants, E. L. Barlow and J. L. Oldham, copartners, 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, L. W. Barlow, by reason of certificate
of public convenience and necessity having been granted by the
Railroad Commission in its Decision No. 8532, on Application No.
6456, decided January 10, 1921.

Transfer of the rights and privileges is to be made for
a consideration named in the application as Nine Thousand, Five
Hundred Dollars (\$9,500.) as amount paid for equipment, operative

rights and good will of the business. 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 other purpose than the transfer herein referred to.

2- That the applicant, E.W.Barlow, 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 applicants E.L.Barlow and J.L.Cidham, copartners, will be required to immediately file tariff and time schedule, in duplicate, in their own names, or to adopt as their own the tariffs and time schedules heretofore filed with the Railroad Commission by applicant E.W.Barlow, all rates to be identical with those filed by applicant E.W.Barlow.

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 applicants,

E.L.Barlow and J.L.Oldham unless such vehicle is owned by or 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 drivers or operators shall bear the relation of employees to the transportation company.

Dated at San Francisco, California, this 20th day of May, 1921.

H. B. Brundage

David H. Brown

W. C. Bennett

Commissioners.