

Decision No. 9045

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MAY 10 1921

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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In the matter of the Application of)
MANUEL BARCIA to sell and transfer,)
and ANTON NELSSON to purchase, ac-)
quire and hereafter operate, a one) Application No. 6813
half interest in a certain automo-)
bile stage line operated between)
San Luis Obispo and Avila.)

O R D E R

Manuel Barcia and Anton Nelsson have, under date of May 4, 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 stage service operating as a common carrier of passengers, baggage and light express between San Luis Obispo and Avila, the applicant, Manuel Barcia desiring to sell an undivided one half interest, and the applicant, Anton Nelsson desiring to purchase and acquire the undivided one half interest.

The rights and privileges, transfer of which is hereby authorized, are those acquired by applicants Manuel Barcia and Anton Nelsson, by reason of certificate of public convenience and necessity having been granted by the Railroad Commission in its Decision No. 7362 on Application No. 5332, rendered April 3, 1920.

Transfer of the rights and privileges is to be made in accordance with an agreement set forth in the application in this proceeding.

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 applicant, Manuel Barcia, will be required to immediately cancel all tariffs and time schedule 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.
2. That applicant, Anton Nelsson, will be required to immediately file tariffs and time schedule in his own name, or to adopt as his own the tariffs and time schedule as heretofore filed with the Railroad Commission by applicant, Manuel Barcia, all fares to be identical with those filed by applicant, Manuel Barcia.
3. 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.
4. No vehicle may be operated by the applicant, Anton Nelsson, 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 3rd
day of June, 1921.

H. P. Lundberg
H. W. ...

W. J. ...
Commissioners.