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Decision No. 9378

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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ORIGINAL

In the Matter of the Application of)
S. C. FOTSCH and S. E. RINER to sell)
and FRANK G. MATTHEIJSSEN to purchase :
an automobile truck line operated)
between LOS ANGELES, BURBANK, ROSCOE,)
PACOIMA and SAN FERNANDO.)

Application No. 7082

BY THE COMMISSION,

ORDER

In this proceeding S. C. Fotsch and S. E. Riner have made application to the Railroad Commission for permission to sell and Frank G. Matthiessen for permission to purchase an automobile truck line together with certain miscellaneous equipment at the present time being operated for the transportation of freight between Los Angeles and San Fernando, serving as intermediate points Burbank, Roscoe and Pacoima.

The operative rights herein proposed to be transferred were obtained by applicants Fotsch and Riner due to operation in good faith prior to May 1st, 1917, and continuously since that date.

The consideration to be paid for the property herein proposed to be transferred is given as the sum of \$6,200.00 of which amount \$200.00 represents the value of furniture, fixtures, hand truck, etc., and \$6,000.00 as the value of the operative rights and good will.

In authorizing the transfer of the property herein under consideration, the Railroad Commission desires that it be distinctly understood that in no way does it pass upon the consideration to be paid for the operative rights herein proposed to be transferred, except insofar as it relates to this proceeding only.

It appearing to the Commission 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 above entitled application be, and the same hereby is granted, subject to the following conditions:

1. That the Consideration to be paid for the property herein authorized to be transferred shall never be urged before this Commission or any other rate fixing body as a measure of value for rate fixing or any purpose other than the transfer herein authorized.

2. That the applicants S. C. Fotsch and S. E. Riner 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 the applicant Frank G. Matthiessen will be required to immediately file tariff and time schedules in duplicate, in his own name, or to adopt as his own the tariffs and time schedules heretofore filed with the Railroad Commission by applicants Fotsch and Riner, all rates and time schedules to be identical with those filed by applicants Fotsch and Riner.

4. That the rights and privileges herein authorized to be transferred 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. That no vehicle may be operated by the applicant Frank G. Matthiessen, unless such vehicle is owned by said applicant or is leased by him under a contract or agreement on a basis satisfactory to the Railroad Commission.

Dated at San Francisco, California, this 18th day of August, 1921.

H. B. Anderson
H. D. Brinkley
Waring Martin
J. P. Benedict