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Decision No. 9379

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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In the Matter of the Application of
O. L. SWETT, doing business under the
fictitious name of S and F AUTO
TRUCK FREIGHT LINE to sell and
C. D. RASMUSSEN, doing business under
the fictitious name of SANTA FE EX-
PRESS & DRAYAGE COMPANY to purchase
the operative right and equipment
used in the transportation of freight
between OAKLAND and SAN JOSE and inter-
mediate points.

) ORIGINAL
:
) Application No. 7085
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)
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)

BY THE COMMISSION,

ORDER

In this proceeding O. L. Swett, doing business under the
fictitious name of S and F Auto Truck Freight Line has made ap-
plication to the Railroad Commission for permission to sell and
C. D. Rasmussen, doing business under the fictitious name of Santa
Fe Express and Drayage Company, for permission to purchase the
operative right at present held by O. L. Swett, authorizing the
operation of an automobile truck line between Oakland and San
Jose and intermediate points, together with the equipment used
in the conduct of such business.

The operative right herein proposed to be transferred was
originally issued to O. L. Swett and Jose Figueroa under Decision No.
6758, dated October 18, 1919. Under Decision No. 8588, dated January
26, 1921, Jose Figueroa was authorized to sell and O. L. Swett to
purchase the one-half interest of the former in such operative right.

The consideration to be paid for the property herein pro-
posed to be transferred is given as the sum of \$11,500.00 of which
amount \$10,750.00 represents the value of two Nash trucks and one
Mack truck and \$750.00 the value of the operative right and good will.

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 applicant O. L. Swett 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 C. D. Rasmussen 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 applicant O. L. Swett, all rates and time schedules to be identical with those filed by applicant O. L. Swett.
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 C. D. Rasmussen, 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 19th day of August, 1921.

W. B. Brundage
H. H. Wood
Henry Mattson
J. J. [unclear]
Commissioners