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Decision No. 2580

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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In the Matter of the Application of)
MASON BROWN to sell and HARRY D. RILEY)
to purchase a one-half interest in the)
Anaheim Transit Company operating an)
automobile passenger stage line bet-)
ween the westerly limits of the City)
of Anaheim to the packing plant of the)
Anaheim Beef Company.)
Application No. 2196

BY THE COMMISSION,

ORIGINAL

ORDER

In this proceeding Mason Brown petitions the Railroad Commission for an order authorizing him to sell and Harry D. Riley for an order authorizing him to purchase a one-half interest in the operative rights of the Anaheim Transit Company, a co-partnership composed of Mason Brown and Harry D. Riley.

The operative rights herein proposed to be transferred were originally granted under Decision No. 9198 in Application No. 6692, and authorize the operation of an automobile passenger stage between the westerly city limits of Anaheim along Lincoln Avenue to the intersection of said Avenue with the right-of-way of the Southern Pacific Company; and from the northerly city limits of Anaheim along Los Angeles Street and Patt Street to a point near the beef packing plant of the Anaheim Beef Company.

The original certificate provided that tariffs and time schedules should be filed within a period of twenty (20) days from date thereof, and that service should be commenced within a period of ninety (90) days from date thereof. Tariffs and time schedules have been filed in the name of the Anaheim Transit Company, a co-partnership, but service has not as yet been commenced. The period within which service must be commenced expired on September

28th, 1921, and the certificate heretofore granted would become inoperative due to the fact that the conditions under which it was granted have not been complied with. In view of the showing originally made by applicants as to the necessity for this service which should have been commenced as soon after the granting of the certificate as it was possible for applicants herein to obtain the necessary equipment and the further fact that there is no similar service as that contemplated by applicants, the present application will be granted together with an extension of fifteen days within which operation shall commence, otherwise the order herein will become null and void.

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 applicant Harry D. Riley shall commence service under the certificate herein authorized to be transferred on or before October 15th, 1921, otherwise the order authorizing transfer of operative rights shall become null and void.
2. That applicants Mason Brown and Harry D. Riley, co-partners doing business under the fictitious name of Anaheim Transit Company, shall immediately cancel all tariff of rates and time schedules now on file with the 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 Harry D. Riley shall immediately file tariff of rates and time schedules, in duplicate, in his own name, or adopt as his own the tariff of rates and time schedules heretofore filed with the Railroad Commission by applicants Mason Brown and Harry D. Riley, co-partners doing business under the fictitious name of Anaheim Transit Company, all rates to be identical with those filed by applicants Brown and Riley, co-partners.
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 Harry D. Riley, 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 30th
day of September, 1921

H. D. Loveland
James F. Powell
J. J. Meredith
Commissioners