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Decision No. 9582

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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In the Matter of the Application of  
the ESTATE OF C. W. CURPHEY, Deceased,  
and of M. R. DOWNING, as Administrator  
of said Estate (as lessor), to lease,  
and of CURPHEY TRUCK LINE, a corpora-  
tion (as lessee), to exercise, certain  
motor truck line operating rights.

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Application No. 7226  
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BY THE COMMISSION,

ORDER

In this proceeding M. R. Downing as Administrator of the Estate of C. W. Curphey, deceased, has filed a joint application with the Curphey Truck Line, a corporation, in which they apply for permission to lease that certain motor truck line operating right heretofore granted to C. W. Curphey, deceased, under Decision No. 7600, which operative right were subsequently transferred to M. R. Downing as Administrator of the Estate of C. W. Curphey, deceased, under Decision No. 9103.

Under the agreement entered into between the parties applicants herein, it is proposed to transfer all equipment together with operative right heretofore granted to C. W. Curphey, deceased, to the Curphey Truck Line, a corporation, for a consideration of \$23,000.00 of which amount \$10,000.00 is to be paid down and the balance payable in equal monthly installments of \$1,000.00 each. Pending the payment of such monthly installments, it is proposed to lease the physical properties and operative rights to the Corporation for a period of one year at a nominal monthly rental of \$1.00,

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 M. R. Downing as Administrator of the Estate of C. W. Curphey, deceased, lessor, shall immediately cancel all tariff of rates and time schedules at present on file with the Railroad Commission of California, and applicant Curphey Truck Line, a corporation, lessee, shall immediately file, in duplicate, tariff of rates and time schedules, or shall adopt the tariff of rates and time schedules at present filed by M. R. Downing, as Administrator of the Estate of C. W. Curphey, deceased, all tariff of rates and time schedules to be identical with those at present on file with the Railroad Commission.

2. That applicant Curphey Truck Line, a corporation, as lessee, shall not abandon or discontinue the service, the operative right to which it is herein authorized to lease, unless such abandonment or discontinuance is authorized by the Railroad Commission.

3. That no vehicle may be operated by the applicant Curphey Truck Line, a corporation, lessee, unless such vehicle is owned by said applicant or is leased by it under a contract or agreement on a basis satisfactory to the Railroad Commission.

Dated at San Francisco, California, this 3rd  
day of October, 1921.

W. L. Loveland  
Charles H. Powell  
W. J. Downing  
Commissioners