

Decision No. 9808.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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ORIGINAL

In the Matter of the Application of C. E. BUNKER, Jr. to sell and JAMES A. GRAY to purchase an automobile stage line operated between Palm Springs and Whitewater Station.

) Application No 7357

BY THE COMMISSION,

O R D E R

In this proceeding James A. Gray has petitioned the Railroad Commission for an order granting a certificate of public convenience and necessity authorizing the operation of an automobile stage line for the transportation of passengers, freight and express packages between Palm Springs and Whitewater in Riverside County, California, or for an order authorizing the transfer of a similar operative right heretofore granted C. E. Bunker, Jr. between the same points.

It appears from the present application that C. E. Bunker, Jr. was granted a certificate of public convenience and necessity authorizing the operation of an automobile stage line as a common carrier of passengers, freight and express between Palm Springs and Whitewater Station under Decision No. 5347 in Application No. 3688, dated April 29, 1918; that on or about the 8th day of January 1921, C. E. Bunker, Jr. transferred all his right, title and interest in such operative right to James A. Gray and since such date James A. Gray has operated the stage line in question, but due to ignorance of the law and the regulations of the Commission governing transfer of operative rights, no application was ever made to the Railroad Commission for an order authorizing the transfer.

The village of Palm Springs has a population of approximately from 200 to 400 and is a winter resort patronized largely by people

who arrive by train at Whitewater Station and who require transportation from that point to Palm Springs. As there are no other means of conveyance between the two points named except by private vehicles all persons and property must be transported over the stage line at present operated by applicant James A. Gray, we are of the opinion that an order should be issued authorizing the transfer of the operative right heretofore granted to C. E. Bunker, Jr. to James A. Gray.

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 of said property for rate fixing or any purpose other than the transfer herein authorized.

2. That the applicant C. E. Bunker, Jr. shall 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 James A. Gray shall immediately file tariff of rates and time schedules, in duplicate, in his own name, or adopt as his own the tariffs and time schedules heretofore filed with the Railroad Commission by applicant C. E. Bunker, Jr., all rates and time schedules to be identical with those filed by applicant Bunker.

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 applicant James A. Gray, unless such vehicle is owned by said applicant or

leased by said applicant under a contract or agreement on a basis satisfactory to the Railroad Commission.

Dated at San Francisco, California, this 23rd day of November, 1921.

H. B. Bondie
W. S. M. M. M. M. M.
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Commissioners