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Decision No. 9984

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

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In the Matter of the Application of WHEELER BROTHERS to sell and CALIFORNIA MEDICAL MISSIONARY & BENEVOLENT ASSOCIATION to purchase an automobile passenger line operating between Sanitarium and St. Helena, California.

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: Application No.
: 4462 74-63.
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BY THE COMMISSION,

O R D E R

In this proceeding A. A. Wheeler and D. A. Wheeler, co-partners, doing business under the name of Wheeler Brothers, have filed a joint application with the California Medical Missionary & Benevolent Association in the which the former apply for permission to sell and the latter to purchase an automobile passenger stage line operated between Sanitarium and St. Helena, California.

The operative right herein proposed to be transferred was obtained by Wheeler Brothers under Decision No. 8577, dated January 20, 1921, which decision authorizes the operation of an automobile passenger stage line as above described.

Consideration to be paid for the property herein proposed to be transferred is given as the sum of \$3,000.00 and includes one 1915 Kissel stage, one Haynes Touring Car, together with furnishings and equipment used in the stage business.

The proposed purchaser operates a sanitarium served by the stage line herein proposed to be transferred and is of the belief that if it operates such stage line itself it will be of greater convenience to patients and employees of the sanitarium than if such stage is operated by other parties.

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 proposed 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 purposes other than the transfer herein authorized.

2. That applicants A. A. Wheeler and D. A. Wheeler, co-partners, doing business under the name of Wheeler Brothers, shall immediately cancel all tariff of rates 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 applicant California Medical Missionary & Benevolent Association shall immediately file tariff of rates and time schedules, in duplicate, in its own name, or adopt as its own the tariff of rates and time schedules heretofore filed with the Railroad Commission by applicant Wheeler Brothers, all rates and time schedules to be identical with those filed by applicant Wheeler Brothers.

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 California Medical Missionary & Benevolent Association 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 12th day of
January, 1922.

H. B. Brundage
H. A. Leland
David M. Martin
J. H. Leland
Commissioners