

Deceased, No. 21823, said last will was admitted to probate, said Anita Sorensen was appointed executrix thereof, and the entire estate of said deceased, including said operative right, which said estate the court found to be of a net value not exceeding \$2500.00, was assigned and set aside to said Anita Sorensen, widow of said deceased, and the title thereto was declared to be vested absolutely in her; that the transfer of said certificate pursuant to said order should be recognized, authorized and approved; and that no public hearing is necessary in this matter;

And it appearing that the application for such transfer should be granted,

The said applicant Anita Sorensen is hereby placed upon notice that "operative rights" do not constitute a class of property which should be capitalized or used as an element of value in determining reasonable rates. Aside from their purely permissive aspect they extend to the holder a full or partial monopoly of a class of business over a particular route. This monopoly feature may be changed or destroyed at any time by the state which is not in any respect limited to the number of rights which may be given.

Now, therefore, good cause appearing,

IT IS HEREBY ORDERED that the transfer of the title to said certificate of public convenience and necessity and operative right, heretofore granted by the Commission to C. K. Sorensen by the said Decision No. 21488 on Application No. 15859, dated August 23, 1929, to said Anita Sorensen, the widow of said C. K. Sorensen, pursuant to the order and decree of the Superior Court of the State of California, in and for the County of Santa Clara,

in the Matter of the Estate of C. K. Sorensen, also known as Carl K. Sorensen, Deceased, No. 21823, made and rendered April 27, 1937, be and the same is hereby recognized, authorized, confirmed and approved.

IT IS HEREBY FURTHER ORDERED that pursuant to said transfer the said Anita Sorensen be and she is hereby authorized to operate and conduct a passenger stage service, as such passenger stage corporation, between San Jose and Alviso and intermediate points, as created, defined and restricted by said Decision No. 21488, and shall henceforth operate thereunder as sole owner and operator thereof, subject to the following conditions:

1. 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 for any purpose other than the transfer herein authorized.

2. Applicant Anita Sorensen shall within twenty (20) days after the effective date of the order herein file with the Commission a tariff covering service given under the certificate herein authorized to be transferred, which tariff shall be identical with the tariff now on file with the Railroad Commission in the name of C. K. Sorensen, or a tariff satisfactory to the Railroad Commission.

3. Applicant Anita Sorensen shall within twenty (20) days after the effective date of the order herein file, in duplicate, in her own name time schedules covering service heretofore given by C. K. Sorensen, which time schedules shall be identical with the time schedules now on file with the Railroad Commission, in the name of C. K. Sorensen, or time schedules satisfactory to the Railroad Commission.

4. The rights and privileges herein authorized may not be sold, leased, transferred nor assigned, nor service thereunder discontinued, unless the written consent of the Railroad Commission to such sale, lease, transfer, assignment or discontinuance has first been obtained.

5. No vehicle may be operated by applicant Anita Sorensen unless such vehicle is owned by said applicant or is leased by her under a contract or agreement on a basis satisfactory to the Railroad Commission.

6. The authority herein granted to sell and transfer the right and/or property shall lapse and be void if the parties hereto shall not have complied with all the conditions within the periods of time fixed herein unless, for good cause shown, the time shall be extended by further order of the Commission.

Dated at San Francisco, California, this 14th day of

June, 1937.

William H. ...
Leon ...
Frank ...
Robert ...
Harry ...
Commissioners.