

in this proceeding and the issuance of said Decision No. 31694, the stock of the then shareholders was sold and purchased by new shareholders who have since elected their own officers and directors and generally arranged for the management of the corporation; that by reason of this change in control and management, applicant El Dorado Motor Transportation Company did not receive notice of the issuance of said Decision No. 31694, nor of the conditions attached thereto; that said applicant is informed and believes, and therefore alleges that said decision and subsequent notices with respect to the conditions annexed thereto were sent to the attorney who had represented applicants prior to the sale of the stock, as hereinabove set forth; and, that therefore the failure to comply with said conditions was entirely inadvertent on the part of applicant, in that they had no knowledge of said conditions. In view of the allegations set forth, the request of applicant appears to be reasonable and it will be granted.

Therefore, good cause appearing,

IT IS ORDERED that the order contained in Decision No. 31694, dated January 30, 1939, in the above-entitled proceeding, as amended by Decision No. 31821, dated March 6, 1939, and each and all of the terms and provisions thereof and the declarations therein contained, be and they are hereby adopted and made a part hereof by reference to the same extent and with the same force and effect as though the same were here set forth in full; and,

IT IS FURTHER ORDERED that in lieu of the conditions contained in the order of said Decision No. 31694, the following conditions be and they are hereby adopted and made a part hereof, to-wit:

1. The authority herein granted shall lapse and be void if applicant shall not have complied with all of 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.
2. J. L. Fifthian and Louis Sposito, co-partners, and El Dorado Motor Transportation Company, a corporation, applicants herein, within thirty (30) days after the effective date of the order, shall join in a common supplement to be filed with the Commission in triplicate, the former withdrawing from the tariffs on file by them with the Commission naming rates and charges for the transportation of property, and the latter adopting and establishing as its own such tariffs and all effective supplements thereto.
3. El Dorado Motor Transportation Company shall file, in triplicate, within thirty (30) days after the effective date of this order, time schedules covering its service under the operating rights herein authorized to be transferred to it, such time schedules to be identical with those heretofore filed by J. L. Fifthian and Louis Sposito, or time schedules satisfactory to the Commission.
4. The rights and privileges herein authorized to be transferred may not hereafter be sold, transferred, leased, nor assigned, nor service thereunder discontinued, unless the written consent of the Railroad Commission has first been secured.
5. No vehicle may be operated by El Dorado Motor Transportation Company under the authority herein granted, unless such vehicle is owned by it or is leased by it under a contract or agreement on a basis satisfactory to the Commission.
6. El Dorado Motor Transportation Company shall, prior to the commencement of service as authorized herein, and continuously thereafter, comply with all the provisions of the Commission's General Order No. 91.

The effective date of this order shall be the date hereof.

Dated at Los Angeles, California, this 26th day of
 March, 1940.

Ray S. Green

George W. White

Robert P. Bush

Justin S. Casner

 COMMISSIONERS