

Decision No. 35781

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)	
CHARLES H. LOVELAND to sell and	)
THOMAS LEONARD to purchase an	)
automobile passenger and freight	)
line operated between Madera and	)
Fish Camp, California.	)
	Application No. 25124

**ORIGINAL**

BY THE COMMISSION:

O P I N I O N

This is a joint application by Charles H. Loveland and Thomas Leonard, by which the former undertakes to sell and the latter to buy, the operative right heretofore granted to Loveland in Decision No. 32311, dated September 12, 1939, in Application No. 22271.

By the terms of the order therein, Loveland was authorized to operate a passenger and freight service between Madera and Fish Camp and intermediate points, over a specified route. He now proposes to sell and transfer to Leonard this operative right. An agreement was entered into on June 30, 1942, between the parties under the terms of which Loveland agrees to sell, and Leonard agrees to buy, the operative right and equipment involved in the operation above referred to for a consideration of \$501. The application sets forth that the sum of \$500 represents the value of the equipment and one dollar represents the value of the operative right.

It appears to us that authority for the proposed transfer should be granted and it will be so ordered. In our opinion a public hearing is not necessary.

## O R D E R

Application having been made in the above-entitled matter, and the Commission finding that public convenience and necessity so require,

IT IS ORDERED that Charles H. Loveland is hereby authorized to transfer to Thomas Leonard the operative right referred to in the foregoing opinion, and Thomas Leonard is hereby authorized to purchase and acquire said right and thereafter to operate thereunder.

The authority herein granted is subject to the provisions of Section 52(b) of the Public Utilities Act, and further to the condition that Thomas Leonard, his successors and assigns, shall never claim before this Commission or any court or other public body, a value for said operating rights, or claim as the cost thereof, an amount in excess of that paid for said rights by those to whom said rights were originally granted.

IT IS FURTHER ORDERED that Charles Loveland and Thomas Leonard comply with General Orders Nos. 79 and 80 by filing in triplicate, within sixty (60) days from the effective date of this order and upon not less than five (5) days' notice to the Commission, a withdrawal and adoption notice as required by said order.

IT IS FURTHER ORDERED that Thomas Leonard comply with Part IV of General Order No. 93-A within sixty (60) days from the effective date of this order and upon not less than five (5) days' notice to the Commission and the public.

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

Dated at San Francisco, California, this 27<sup>th</sup> day of September, 1942.

*Justus D. Weaver*  
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*W. J. Kelly*  
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*Frank L. Havens*  
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*Richard L. Jackson*  
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 COMMISSIONERS