

Decision No. 35786

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )	
VERNON LEARD to sell and CLIFFORD )	
SNIDER to purchase an automobile )	
freight line operated between Potter )	Application No. 25174
Valley, California, and intermediate )	
points. )	

BY THE COMMISSION:

**ORIGINAL**

O P I N I O N

Vernon Leard and Clifford Snider join in an application to the Commission, the former to sell and transfer, and the latter to purchase and acquire, an operative right as a highway common carrier between Potter Valley and Ukiah, California.

The operative right to be sold has been the subject of numerous transfers. It was originally created when the Commission granted a certificate to Henry Johnson to operate a passenger and freight service between Ukiah and Potter Valley. <sup>(1)</sup> Subsequently, by order of the Commission, the right was modified so as to authorize only the transportation of freight. Following several changes of ownership the right was finally acquired by Vernon <sup>(2)</sup> Leard, who here appears as applicant, to again transfer the right to Clifford Snider.

Under the terms of a contract entered into between the seller and the buyer the price agreed upon is \$200, which sum is

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(1) Decision No. 6088, dated January 28, 1919, Application No. 4326.  
(2) Decision No. 31106, dated July 15, 1938, Application No. 22060.

alleged to represent the value of the operative right only, and does not include any motor equipment or tangible personal property. It appears from the agreement that the purchaser, Snider, will furnish his own equipment.

The Commission is of the opinion, and so finds, that authorization for the transfer is in the public interest and should be granted. It will be so ordered. There appears no necessity for a public hearing.

O R D E R

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

IT IS ORDERED as follows:

(1) That Vernon Leard is authorized to sell and transfer to Clifford Snider the highway common carrier operative right referred to in Decision No. 31106.

(2) That Clifford Snider is authorized to acquire the operative right above referred to and thereafter to operate thereunder subject to the following condition:

The authority herein granted is subject to the provisions of Section 52(b) of the Public Utilities Act, and further to the condition that Clifford Snider, his successors and assigns shall never claim before this Commission or any court or any 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.

(3) That Vernon Leard and Clifford Snider comply with General Order No. 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 general order.

(4) That Clifford Snider 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 J. Cassen

A. J. Baker

Francis R. Haven

Richard H. Baker

COMMISSIONERS