

Decision No. 36225

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
MASCOTTE RALSTON to sell and FRANK J.)
BROWN to purchase an interest in a)
highway common carrier freight line)
operated between Los Angeles, Vernon,)
Huntington Park, Florence, Walnut Park)
and Belvedere Gardens, California, and) Application No. 25446
for authority to transfer said line)
from the partnership composed of Frank)
J. Brown and Mascotte Ralston doing)
business as A. & B. Garment Delivery.)

ORIGINAL

BY THE COMMISSION:

O P I N I O N

The application herein considered is a joint appli-
cation in which Frank J. Brown requests authority of the
Commission to acquire sole ownership of a highway common carrier
operative right granted to the partnership of Mascotte Ralston
and Frank J. Brown, and equipment used in conducting that
operation. The partnership, Mascotte Ralston and Frank J. Brown,
requests authority to sell and transfer to Frank J. Brown said
right and equipment.

The operative right proposed to be transferred was
created by the Commission's Decision No. 35452, issued June 9,
1942, as amended by Decision No. 35557, issued July 7, 1942. The
points served under that operative right are Los Angeles, Belveder
Gardens, Florence, Walnut Park, Vernon and Huntington Park. The
commodities are limited to garments, clothing and wearing apparel
on hangers and merchandise in packages, subject to certain
limitations as more specifically set forth in the decisions
creating the right.

The consideration involved is \$2300 cash to be paid upon the receipt of the Commission's authority authorizing the transfer. It is stated that this amount represents the value of the operative right and the equipment used in the performance of the transportation service. We have made no examination of the properties herein proposed to be transferred to determine their value. The authorization herein given for their transfer shall not be taken as a finding in any respect to such value for any purpose whatsoever.

After full consideration of applicant's request it appears that the authority sought is in the public interest and will be granted. This is not a matter which requires a public hearing.

O R D E R

IT IS ORDERED as follows:

(1) Mascotte Palston and Frank J. Brown, partners, may sell and transfer to Frank J. Brown, an individual, and said Frank J. Brown may purchase and acquire the highway common carrier operative right created by the Commission's Decision No. 35452, as amended by Decision No. 35557, in Application No. 24529, and the automotive equipment and other property described in the agreement attached to the application and marked Exhibit "A."

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

other public body a value for said operative right or claim as the cost thereof an amount in excess of that paid for said right by those to whom said right was originally granted.

(3) Applicants shall comply with the rules of the Commission's General Order No. 30 and Part IV of General Order No. 93-A by filing, in triplicate, and concurrently making effective, tariffs and time schedules satisfactory to the Commission within sixty (60) days from the effective date hereof and on 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 16th day of March, 1943.

Francis D. Gardner
H. H. Allen
Justice F. Gardner
Richard L. ...
Thomas D. ...
COMMISSIONERS