

Decision No. 36973

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of W. H. PIMENTEL, d.b.a. NORTH SACRAMENTO STAGE LINE and FAIR OAKS STAGE LINE, to sell, and A. J. (BERT) CHAPIN, to purchase, an automobile passenger stage line for the transportation of passengers between Sacramento, McClellan Field, Rio Linda, and intermediate points, and for the transportation of passengers, baggage and shipments of express weighing not in excess of one hundred pounds on passenger vehicles only between Sacramento and American River Hydroelectric Dam site and the intermediate points of "H" Street Bridge, Del Paso, Carmichael, Fair Oaks and Orangevale.

ORIGINAL

Application
No. 25202

BY THE COMMISSION:

O P I N I O N

By Decision No. 35775, dated September 15, 1942, in Application No. 25202, the Commission granted W. H. Pimentel, subject to the provisions of said order, the right to sell and A. J. (Bert) Chapin the right to acquire the passenger stage operative right created by Decision No. 35675, dated August 11, 1942, in Application No. 25106, and the transportation properties described in the agreement filed in this application as Exhibit "A." The decision authorizes applicants to execute said agreement.

On September 16, 1942, applicants entered into a supplemental agreement, a copy of which was filed in this application on February 8, 1944. The supplemental agreement modifies Exhibit "A" in several respects. Among other things, it provides that if, because of war conditions, the earnings of North Sacramento Stage Line for a period of 90 consecutive days does not exceed \$200 per day, the annual payments of \$5,400 for a period of 10 years may be reduced proportionately. The difference between any sum actually paid and the \$5,400 shall be carried over and become due and payable in annual installments of not more than \$5,400 at the end of the completion of all payments under the contract, dated August 1, 1942. Applicant, W. H. Pimentel, waives the execution of a chattel mortgage to secure the payment of the amounts due him under the contract and consents to the assignment of the contract to a corporation.

O R D E R

The Commission having considered said supplemental agreement and it being of the opinion that this is not a matter on which a hearing is necessary, and that applicants should be authorized to execute said supplemental agreement, therefore,

IT IS HEREBY ORDERED that W. H. Pimentel and A. J. (Bert) Chapin be, and they are hereby, authorized to execute a supplemental agreement similar in form to the supplemental

agreement attached to the petition filed in this matter on February 8, 1944.

IT IS HEREBY FURTHER ORDERED that within thirty (30) days after the date of this Order, A. J. (Bert) Chapin shall file with the Railroad Commission a true and complete copy of the supplemental agreement executed under the authority herein granted.

Dated at San Francisco, California, this 4th day of April, 1944.

Richard Sachs
Justin J. Carrigan
Francis D. Havens
Frank O'Leary
Irish Quinn
Commissioners.