

Decision No. 38280

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
P. G. Ashton and Esther Ashton, dba)
Antelope Valley Transit Company, to)
purchase a passenger Stage from the)
Crown Body and Coach Corporation, to)
be operated between Lancaster and)
Muroc, California.)
-----:)

Application
No. 26980

ORIGINAL

BY THE COMMISSION:

OPINION AND ORDER

P. G. Ashton and Esther Ashton, dba Antelope Valley Transit Company, are engaged in the business of transporting passengers, baggage and express between Lancaster, California, and Muroc, California. For 1944 they report operating revenues of \$18,668.52.

Applicants, on July 7, 1944, executed a conditional sale contract, a copy of which is on file in this application, for the purpose of acquiring from Crown Body and Coach Corporation a new Ford-Wayne 8 cylinder standard bus. Of the purchase price they paid \$1,305.47 in cash and agree to pay the remainder in 36 equal successive monthly installments of \$76.67, the first payment being due on August 7, 1944.

Applicants report that at the time they executed the conditional sale contract they were unaware of certain provisions of Section 52 of the Public Utilities Act. Upon those provisions being called to their attention, they filed this application in which they ask the Commission to enter an order, nunc pro tunc, authorizing them to purchase the bus upon the

terms and conditions set forth in the conditional sale contract.

An order of that nature would not be appropriate because we believe that Section 52 of the Public Utilities Act declares the contract void.

The Commission has considered applicants' request and is of the opinion that a hearing is not necessary on this application, that applicants have need of the money, property or labor procured through the execution of said conditional sale contract, therefore,

IT IS HEREBY ORDERED that P. G. Ashton and Esther Ashton, dba Antelope Valley Transit Company, be, and they are hereby, authorized to execute a conditional sale contract similar in form to the contract on file in this application.

IT IS HEREBY FURTHER ORDERED that the authority herein granted will become effective when applicants have paid the minimum fee prescribed by Section 57 of the Public Utilities Act, which minimum fee is Twenty-five (\$25.00) Dollars.

Dated at San Francisco, California, this 9th day of October, 1945.

Howard C. Anderson
Richard L. Schaefer
Ernest W. Beane
James H. Howell
Commissioners

