

ORIGINAL

Decision No. 39037

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of ORA B. HEPLE, doing business as HEPLE TRANSPORTATION COMPANY, to transfer operative rights under Decision No. 38613 on Application No. 27149 to CHESTER R. SMITH and ORA B. SMITH doing business as Santa Cruz Transit Company. ) Application No. 27525

O P I N I O N

Under a certificate issued by the Commission, Ora B. Heple, doing business as Heple Transportation Co., was authorized to conduct a passenger stage service within Santa Cruz and between Santa Cruz and the Santa Cruz Hospital, Mission Cliffs, Twin Lakes, Laveaga Park and Live Oak District, and intermediate points. (1) Ora B. Heple has since married, and with her husband Chester R. Smith proposes to continue the business, which she has previously conducted, in the names of Chester R. Smith and Ora B. Smith, doing business as Santa Cruz Transit Company. To accomplish this purpose, the latter seek authority to acquire the certificate. In effect, Ora B. Smith proposes to transfer to her husband Chester R. Smith an undivided one-half interest in the operative right. The arrangement contemplated does not involve the payment of any consideration.

The application will be granted. This is not a matter requiring a public hearing.

O R D E R

Application having been made as above entitled, and the Commission having considered the matter,

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(1) Authority to engage in this service was granted by Decision No. 38613, dated January 15, 1946, in Application No. 27149.

IT IS ORDERED as follows:

(1) That Ora B. Heple, now known as Ora B. Smith, be, and she hereby is, authorized, on or before August 31, 1946, to transfer to her husband Chester R. Smith, and the latter is authorized to acquire from the former, an undivided one-half interest in the certificate of public convenience and necessity authorizing the operation of a passenger stage service (as defined by Section 24, Public Utilities Act) between the points described in the foregoing opinion, granted to said Ora B. Heple pursuant to Decision No. 38613, rendered January 15, 1946, in Application No. 27149. Said Chester R. Smith and Ora B. Smith, doing business as Santa Cruz Transit Company, are authorized to conduct said operation, pursuant to said certificate.

(2) That applicants shall comply with the provisions of General Order No. 79 and Part IV of General Order No. 93-A by filing, in triplicate, and concurrently making effective, appropriate tariffs and time tables within 60 days from the effective date hereof, and on not less than one day's notice to the Commission and the public.

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

Dated at San Francisco, California, this 5<sup>th</sup> day of June, 1946.

David C. ...  
Justin J. ...  
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 COMMISSIONERS