

ORIGINALDecision No. 39107

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 W. B. McLeran, doing business as)
 McLeran Transit Co., to sell, and)
 Landier Transit Co., Inc., a corpora-) Application No. 27383
 tion, to purchase, that certain)
 automobile passenger service oper-)
 ated between Los Angeles and (Swart-)
 out) Big Pines, California.)

O P I N I O N

By Decision No. 34359, dated July 1, 1941, W. B. McLeran was granted a certificate of public convenience and necessity authorizing him to operate an automotive service for the transportation of persons and their baggage between Los Angeles and Big Pines (Swartout)¹.

By this application W. B. McLeran seeks authority to sell and transfer said operative right to Landier Transit Co., Inc., a corporation, and the latter requests permission to acquire the right. No property other than the operative right will be transferred. Both applicants are now operating under authority of certificates granted by this Commission.

The consideration to be paid for said right is three thousand dollars (\$3,000), payable upon the Commission's final approval of the transfer.

¹ The certificate excluded service to and from intermediate points. The passenger stage operation is authorized to be conducted over and along two described routes and applicant was required to perform a regular scheduled service on Saturdays and Sundays during the months of June to September, inclusive, of each year, and maintain an "on call" service during other months of the year.

McLeran is selling said operative right because it is mainly school-bus operation, a type of service which he desires to discontinue. The service has been conducted regularly since its inception².

Applicant Landier Transit Co., Inc. states that it will continue to operate said service as authorized; that it will have buses available during the summer months; that the operation will not require additional capital investment; and that it is otherwise able and willing to perform the service pursuant to the provisions of said certificate and other requirements of this Commission.

As required by law, \$50 in filing fees has been paid to the State in connection with the filing of the application for the operative right involved herein. If vendee acquires the said operative right it may charge to Account No. 1511--Franchises --not more than \$50. The remainder of \$2,950 should be charged to Account No. 1550--Other Intangible Property--and written off on or before December 31, 1947, by a charge or charges to Account No. 2946--Other Debits to Surplus.

After full consideration of this matter, the Commission is of the opinion and finds that the proposed transfer is in the public interest and, therefore, the application will be granted. A public hearing is not necessary.

² Operating results on the Los Angeles to Big Pinos route for the years 1941 to 1945, inclusive, were as follows:

	<u>Revenue</u>	<u>Expense</u>
1941	\$ 5,614.80	\$ 1,789.79
1942	7,160.00	2,048.00
1943	7,625.40	2,395.62
1944	8,480.10	2,444.03
1945	7,020.00	2,224.09
	<u>\$36,020.30</u>	<u>\$10,891.53</u>

The action taken herein shall not be construed to be a finding of value for the properties herein authorized to be transferred.

O R D E R

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

IT IS ORDERED:

(1) That W. B. McLoran be, and he hereby is, authorized to sell and transfer to Landier Transit Co., Inc., a corporation, the operative right acquired under authority of Decision No. 34359, and that Landier Transit Co., Inc. be, and it hereby is, authorized to purchase and acquire said right, and thereafter to operate thereunder, subject to the following conditions:

- (a) That, in the event such authority to transfer is exercised, Landier Transit Co., Inc. shall notify the Commission thereof within ten (10) days after the actual date of such transfer.
- (b) 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 sixty (60) days from the effective date hereof and not less than five (5) days' notice to the Commission and the public.
- (c) That if Landier Transit Co., Inc. acquires said operative right, it shall charge to Account No. 1550--Other Intangible Property--the sum of \$2,950 and write off such amount, on or before June 30, 1947, by a charge or charges to Account No. 2946--Other Debits to Surplus.
- (d) That the authorization herein granted shall lapse and become void if not exercised within six (6) months from the date hereof unless further time is granted by subsequent order.

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

Dated at San Francisco, California, this 18th day of June, 1946.

Richard Anderson
Justin J. Craven
Frank W. ...
James P. ...
James P. Kula
 COMMISSIONERS