

ORIGINAL

Decision No. 39453

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)	
CHARLIE SNAPP to sell and WALTER)	
GILLIS to purchase an automotive)	Application No. 27691
freight line operated between)	
Gazelle and Etna, California)	

O P I N I O N

Charlie Snapp, one of the applicants herein, is the owner of a certificate created by Decision No. 37459, dated November 9, 1944, authorizing the transportation of passengers and property as a passenger stage corporation and a highway common carrier between Etna and Gazelle and intermediate points, via Callahan and points laterally within three miles of the authorized route.

By the above entitled application, applicant Snapp requests authority to sell and applicant Walter Gillis to purchase the foregoing described operative right for a cash consideration of \$200. No equipment is involved. It appears that the purchaser has the necessary equipment to conduct the service. The application shows that the service has been in continuous operation since the granting of the certificate.

The Commission has considered this matter and is of the opinion that a public hearing is not necessary and that the application should be granted. In making this order the Commission is not making a finding of value of the right herein authorized to be transferred.

Walter Gillis is hereby placed upon notice that operative rights as such, do not constitute a class of property which may be

capitalized or used as an element of value in rate-fixing for any amount of money in excess of that originally paid to the State as the consideration for the grant of such rights. Aside from their purely permissive aspect, they extend to the holder a full or partial monopoly of a class of business over a particular route. This monopoly feature may be changed or destroyed at any time by the State, which is not in any respect limited to the number of rights which may be given.

O R D E R

Good cause appearing,

IT IS ORDERED as follows:

(1) That Charlie Snapp may sell and transfer to Walter Gillis, on or before December 31, 1946, the certificate of public convenience and necessity granted by Decision No. 37459, in Application No. 26419, and Walter Gillis may purchase and acquire such operative right and thereafter operate thereunder.

(2) That Charlie Snapp and Walter Gillis shall comply with the provisions of General Orders Nos. 79 and 80 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 5 days' notice to the Commission and the public.

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

Dated at Los Angeles, California, this 1st
day of October, 1946.

Harold P. Hull
Justin F. Casser
Thomas C. ...
R. F. ...
COMMISSIONERS